

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

AUGUST 4, 1994

**JOHN F. "JEFF" SCHNEIDER
CHAIRMAN**

BATON ROUGE, LOUISIANA

The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the
Louisiana Department of Wildlife and Fisheries
2000 Quail Drive

Baton Rouge, Louisiana 70808

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AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LOUISIANA
AUGUST 4, 1994

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MINUTES OF THE MEETING
OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, August 4, 1994

Chairman Jeff Schneider presiding.

Bert Jones
Peter Vujnovich
Jerald Hanchey
Joseph B. Cormier
Tee John Mialjevich
Perry Gisclair

Secretary Joe L. Herring was also present.

Chairman Schneider called for a motion for approval of the **July 7, 1994, Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Mialjevich. The motion passed unanimously.

The **June Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed four pilots and one contract pilot flew a total of 74.10 hours for the month, along with the breakdown for the different planes, the estimated cost, the actual cost and the Commission's method. The individual flight logs were also listed in the report.

Commissioner Gisclair stated he was contacted by people to have a Declaration of Emergency and Possible Notice of Intent for **Consideration of a Statewide Night Shrimping Ban** placed on the agenda. There was still the intention of prohibiting shrimping in the Vermilion Bay area as occurred during the Spring Shrimp Season stated Commissioner Gisclair. He also stated he received telephone calls both for and against the statewide ban. Secretary Herring stated the Department has received a memorandum from Senator Chris Ullo asking that any decisions be delayed until more hearings could be held or copies of studies be sent to him. Also, Representative Randy Roach contacted Secretary Herring and asked that any decisions be delayed until additional information could be obtained. Mr. Corky Perret stated he was contacted by Commissioner Gisclair on this request. Commissioner Jones asked what was the major reason to stop shrimping at night. Mr. Perret stated there was a diverse group of shrimpers and some felt it best to do away with shrimping at night. The Department staff felt the ban would not increase the volume of shrimp taken, and the size would remain the same. Chairman Schneider asked if the other states have a ban and has the Shrimp Task Force looked at this? Commissioner Jones asked how the Shrimp Task Force was doing and what was the position on the shrimp sanctuaries? Mr. Perret stated the Shrimp Task Force

has not addressed night shrimping. Chairman Schneider asked if any action needed to be taken by the Commission for the Task Force to look at this item. Commissioner Gisclair also requested the Task Force look at this issue. He hoped the Task Force would be able to meet within the next month. Commissioner Cormier felt the consideration of no night shrimping should be studied more. Commissioner Gisclair stated he was very disappointed to know the person who wanted this on the agenda, Mr. Allen Gaudet, was not at the meeting. Commissioner Mialjevich reminded everyone he suggested the ban for Vermilion Bay and felt a statewide ban would be too much of a shock for the industry. He then stated the shrimp industry was changing and this ban may be viable for some parts of the state, but the Shrimp Task Force needed to look at it first and decide. Mr. Perret emphasized to the audience the Commissioners were not to blame for the shrimpers not hearing about this item being on the agenda. Chairman Schneider decided the consensus of the Commission was to let the Shrimp Task Force look at this issue and report back. He then allowed Public Comments at this time.

Mr. Kenny Adams stated 80 percent of his living was made at night and the night shrimping ban would put him totally out of business.

Mr. Andy Valence, Mayor of Grand Isle, invited Mr. Allen Gaudet, who showed up late for the meeting, to state his reason for suggesting the ban on night shrimping. Mr. Allen Gaudet stated his reason was for the ban to be used as a resource management tool. The rules and regulations set for the Department are made for political reasons and not for the resources he said. Chairman Schneider stated the environment was changing and things that were never looked at in the past would need to be looked at in the future. Commissioner Gisclair asked that all the shrimpers make their concerns known to the Shrimp Task Force in an effort to avert future problems. Mayor Valence felt Mr. Gaudet was proposing the wrong solution and then requested that an effort be made to invite all the different fishing communities the next time this issue was discussed. The Mayor then thanked the Commissioners for not acting today.

Mr. Donald Lirette, President of Terrebonne Fishermen's Organization, stated he chaired the last Shrimp Task Force meeting that compiled the results of a survey that was given to fishermen statewide. One of the questions on the survey was, are you for or against night fishing on white shrimp. The results was 50 percent were for night shrimping, 40 percent were against night fishing, 5 percent were undecided. The Task Force decided to include night fishing as an agenda item for their next meeting. There was a 67 percent opposition to sanctuaries statewide and thus no action was taken at that time. He then asked the members of the Shrimp Task Force at the meeting to identify themselves. Mr. Lirette felt this issue was a political issue rather than a biological tool. Commissioner Mialjevich asked Mr. Perret if there are only a

certain number of larvae in the brackish waters, then only a small amount of these would grow into shrimp and what was the deciding factor. Mr. Perret explained the difference between the two species of shrimp. He then showed a graph on historical catch for the Gulf of Mexico which dated back to 1960.

Mr. George Barasich began by stating management of the resources needed to be looked at in regards to areas of the state and not the whole state. The proposed night shrimping ban was not in the best interest of all the fishermen in the state. Mr. Barasich then stated he fished in Zone 1 and as soon as daylight appears, the shrimp disappear. He then pleaded for all the fishermen to stick together and fight with the Department.

Mr. Danny Babin, Indian Ridge Shrimp Company, stated that if everyone called a Commissioner to have an item put on the agenda, you would never get anything done. If you wanted to take pressure off the system, there was a need to look at who was getting a license and maybe implementing a limited entry system.

Mr. Bill Dekemel, representing what he called the true commercial fishermen, stated these agenda items needed to be screened to find out the real reason behind them. He felt limited access was better than limited entry. The season for inshore shrimpers was only six months long whereas the offshore season was year round. The trawl fishery east of the Mississippi River can not survive if there is no night shrimping. He then asked Commissioner Gisclair to make a motion to remove the item from the agenda. Commissioner Gisclair hoped Mr. Dekemel did not think the Commissioners would take action on this item after the fishermen left the meeting.

Mr. Pete Gericca, Lake Pontchartrain Fishermen's Association, stated the calls from the east of the river wanting the ban on night shrimping were from his organization. Commissioner Mialjevich asked Mr. Gericca, if when the Commission considers the Vermilion Bay area for no night shrimping, should Lake Pontchartrain also be included? Mr. Gericca suggested the Shrimp Task Force should look at the issue.

Declaration of Emergency for Setting Season Dates, Bag Limits for Doves, Snipe, Rails, Woodcock, Gallinules, and September Teal Season was handled by Mr. Dave Morrison. Mr. Morrison stated last month the Commission was provided with recommendations for these birds. The Fish and Wildlife Service has gone through their regulatory process and finally established the regulations. The adoption of the seasons by Declaration of Emergency was the action to be taken. He then read the season dates for the record. Chairman Schneider then asked for public comments.

Mr. Carl Gremillion stated he was opposed to the 15 bird bag limit and 60 day dove season and preferred the 12 bird bag limit

and 70 day season. Then he asked how did the no-morning-hunts on the opening weekend of the dove season come to pass and who presented the 15 bird limit and 60 day season for consideration to the Commission. Commissioner Jones stated there were two scenarios given to the Commission by the Department and that he preferred the 15 bird bag limit with a 60 day season.

Mr. Morrison read the Therefore Be It Resolved portion of the Resolution. A motion was made by Commissioner Jones for approval of the resolution, season dates, bag limits and shooting hours and was seconded by Commissioner Gisclair. This motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, public hearings in Washington, D.C. have been held on early migratory bird season regulations that include dove, snipe, rail, gallinule, woodcock and teal, and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing early migratory bird season frameworks have been developed by the U.S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for migratory species that include season dates, bag limits and shooting hours, and

WHEREAS, it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U.S. Fish and Wildlife Service framework, now

THEREFORE BE IT RESOLVED, that the attached dates are hereby adopted as the permanent seasons for these migratory species by Declaration of Emergency, and

BE IT FURTHER RESOLVED, that these dates will be in effect from September 1, 1994 through sunset February 28, 1995.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following emergency rule:

The hunting seasons for migratory birds established during the early regulatory process for the 1994-95 hunting season shall be as follows:

1994-95 Hunting Seasons for Early Migratory Birds

Dove: Split Season, Statewide, 60 days
September 3 (Saturday) - September 11 (Sunday) 9 days
October 15 (Saturday) - November 6 (Sunday) 23 days
December 10 (Saturday) - January 6 (Friday) 28 days
Daily bag limit 15, Possession limit 30

Teal: September 17 (Saturday) - September 25 (Sunday) 9 days
Daily bag limit 4, Possession limit 8, Blue-winged,
Green-winged and Cinnamon teal only. Federal and State waterfowl
stamps required.

Rails: Split Season
September 17 (Saturday) - September 25 (Sunday) 9 days
November 12 (Saturday) - January 11 (Sunday) 61 days
King and Clapper: Daily bag limit 15 in the aggregate,
Possession 30
Sora and Virginia: Daily bag and possession 25 in the
aggregate

Gallinules: Split Season
September 17 (Saturday) - September 25 (Sunday) 9 days
November 12 (Saturday) - January 11 (Sunday) 61 days
Daily bag limit 15, Possession limit 30

Snipe: November 5 (Saturday) - February 19 (Sunday) 107 days
Daily bag limit 8, Possession limit 16

Woodcock: November 28 (Monday) - January 31 (Tuesday) 65 days
Daily bag limit 5, Possession limit 10

NOTE: This will be the set season for the future unless changes in the framework occur.

SHOOTING HOURS:

Teal, Rail, Snipe, Woodcock and Gallinule: One-half hour before sunrise to sunset.

Dove: One-half hour before sunrise to sunset except noon to sunset on September 3-4, October 15-16 and December 10-11 when shooting hours will be 12 noon to sunset.

A Declaration of Emergency is necessary because the U.S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits and shooting hours must be established and presented to the U.S. Fish and Wildlife Service immediately.

The aforementioned dates, bag limits and shooting hours will become effective September 1, 1994 and extend through sunset on February 28, 1995.

John F. "Jeff" Schneider
Chairman

Announcement of Tentative Season Dates for Ducks, Geese and Coots began with Mr. Robert Helm showing a video on the status of waterfowl for 1994 prepared by the U.S. Fish and Wildlife Service. After the video, Mr. Hugh Bateman stated it should be obvious how good it looks as far as duck production goes. Then Mr. Bateman pointed out several things the video left out. The cooperation of private landowners through the Conservation Reserve Program has had a spectacular impact on the duck populations. Mr. Bateman felt with the situation he saw while on a Canadian trip, the 71 million bird index was probably in the 75 to 80 million bird range. Another point not made during the video was that the shrinkage in ponds was very minimum this year throughout the summer months. He explained the proper ecology of a wetland system to retain its productivity and said this was what occurred in Canada and the northern United States. If water conditions and the retention of existing water was good, then the probability of having another good year next year was virtually assured. From the trip to Canada, Mr. Bateman stated it was very important to continue concentrating on keeping the existing programs to keep grasslands and cover for ducks in place.

After the trip to Canada, Flyway Council meetings were held to discuss the technical data. A recommendation was made by all of the Flyway Councils to increase the bag limit and number of days.

The U.S. Fish and Wildlife Service Regulations Committee chose to limit the opportunity for hunters by allowing the one additional duck but no increase in the number of days. Mr. Bateman recommended sending a resolution from the Commission along with a letter from Secretary Herring to the Director of the U.S. Fish and Wildlife Service objecting to the position that they will not allow any additional days of hunting. Commissioner Jones asked who served on the Regulations Committee in Washington, D.C.; did all regions suggest the number of days and bag limit be increased; and how many days of duck hunting does California have. The public comment period on the recommendations from the Regulations Committee was open for 30 days. The Regulations Committee from the Service made the statement it was not politically correct nor socially acceptable at this time to consider these things. Chairman Schneider asked if Mollie Beattie made that statement and then asked for the names and addresses of the committee members. Mr. Bateman asked Mr. Puckett what needed to be done in order for the Commissioners to adopt the 30 day season and giving Secretary Herring the authority to change it if given the 40 days. Commissioner Jones asked if it was okay to approve a 40 day season time frame within the Resolution that also has the 30 day season. Mr. Puckett stated the Commission could approve the basic season framework with the 30 days and in the same Resolution it should be stated that if the 40 days were approved, then those seasons could be adopted. Chairman Schneider asked if the rules needed to be suspended to formally adopt the Resolution and letter to the U.S. Fish and Wildlife Service. Commissioner Jones made a motion to suspend the rules to consider a Resolution that would be sent to the U.S. Fish and Wildlife Service concerning the extension of the migratory duck hunting season from 30 days to 40 days. Commissioner Cormier seconded the motion and it passed with no opposition. Commissioner Jones read the Resolution and then made a motion to accept it. Commissioner Hanchey seconded the motion and it passed unanimously. Commissioner Jones suggested Chairman Schneider should write a letter on this subject to Ms. Mollie Beattie. Then he stated the most important variable in duck population is not hunter mortality, but habitat conditions.

(The full text of the Resolution is made a part of the record.)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has reviewed the information provided by our technical staff, and

WHEREAS, this information was provided by the U.S. Fish and Wildlife Service, and

WHEREAS, the duck Fall Flight Forecast is the highest recorded since the late 1970's, and

WHEREAS, habitat conditions in the Northern United States and Canada have shown significant improvements, and

WHEREAS, the outlook for the subsequent breeding season appears optimistic, and

WHEREAS, the Mississippi Flyway Council and Technical Section have both agreed that liberalizing the daily bag and season length will not have any adverse impact on waterfowl populations, and

WHEREAS, the Atlantic, Central and Pacific Flyway Councils have also recommended a similar increase in bag limits and days, and

WHEREAS, habitat conditions, not hunting mortality, is the primary reason for fluctuations in waterfowl populations, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission respectfully requests that the recommendations of the States be given due consideration and the position taken by the U.S. Fish and Wildlife Service be reversed, and

BE IT FURTHER RESOLVED, that the recommendations made by the Mississippi Flyway be instituted for the upcoming hunting season and allow for 10 additional days of hunting opportunity.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Continuing on, Mr. Robert Helm first gave the 30 day season dates for ducks and coots as:

West Zone:	November 12 - November 27
	December 27 - January 9
East Zone:	November 19 - November 27
	December 27 - January 16

Chairman Schneider asked what was the latest the seasons could run in the guidelines for January?

Catahoula: November 19 - November 27

December 12 - January 1

The dates for the 40 day season are:

West Zone:	November 12 - November 27
	December 17 - January 10
East Zone:	November 19 - November 27
	December 17 - January 16
Catahoula:	November 19 - November 27
	December 10 - January 9

Commissioner Jones asked, concerning the 30 day season, why open the second split on Tuesday, December 27 and not on Monday, December 26. He felt there would be an increase in hunter opportunity if the second split opened on December 26 rather than on the 27th. Chairman Schneider asked what would happen in the East Zone if you ran the season all the way to January 20. Commissioner Hanchey suggested leaving the dates as they are.

Mr. Helm continued with stating the daily bag limit on ducks is four and may include no more than three mallards (no more than one of which may be a female), three mottled ducks, one black duck, two wood ducks, one pintail, one canvasback and one redhead. Daily bag limit on coots is 15. The daily bag limit for mergansers is five, only one of which may be a hood merganser. Merganser limits are in addition to the daily bag limit for ducks. The possession limit on ducks, coots and mergansers is twice the daily bag limit.

Geese: November 12 - December 4, December 17 - February 1 and snow goose only hunting of February 2 - February 14. Daily bag limit is seven in the aggregate of blue, snow and white fronted geese of which not more than two may be white-fronted. There would also be a nine day Canada Goose Season.

Shooting hours are one-half hour before sunrise to sunset.

Chairman Schneider asked if he could kill four teal, four ringnecks and four of any species not listed? Then he asked Mr. Helm to read the Therefore Be It Resolved portion of the Resolution. Chairman Schneider asked for public comments on the season dates.

Mr. Daryl Valenti asked if there was a biological reason why the duck season in the west was shut down earlier than the east zone? Mr. Helm and Secretary Herring stated this question comes up every year and then explained the reasons.

Mr. Carl Gremillion asked how much revenue was lost because of the loss of hunters, licenses and duck stamps each year?

Chairman Schneider asked the pleasure of the Commission. Commissioner Jones continued his discussion on the second split

opening on December 26. Then he made a motion to accept the 30 day framework except to move from the opening date of December 27 to December 26 in both the east and west zones. Commissioner Mialjevich seconded the motion. Secretary Herring suggested taking into consideration at least one-third of the duck hunters would have to travel on Christmas Day if they went with the December 26 opening day. Commissioner Vujnovich was against the change because it would put a strain on the Enforcement Agents. Commissioner Jones and Commissioner Mialjevich voted for the motion and Chairman Schneider, Commissioner Vujnovich, Commissioner Gisclair and Commissioner Hanchey opposed the motion.

Commissioner Jones made another motion, to accept the dates for the west zone as suggested, and in the east zone open on December 26. The motion died for lack of a second. Then Commissioner Cormier made a motion to accept the Department's recommendations and resolution. Commissioner Hanchey seconded the motion and passed with no opposition.

(The full text of the Resolution is made a part of the record.)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

- WHEREAS, public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington, D.C., and
- WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and
- WHEREAS, rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and
- WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and
- WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now
- THEREFORE BE IT RESOLVED, that on this date, the Louisiana Wildlife and Fisheries Commission does hereby tentatively adopt

the attached season dates, bag limits and shooting hours,
and

BE IT FURTHER RESOLVED, that these tentative dates will be ratified by Declaration of Emergency at the September meeting unless significant changes occur as a result of continuing deliberations and comments with the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, that if changes should occur prior to the next Commission meeting, the Secretary is granted the authority to react and establish seasons within new frameworks established, and

BE IT FURTHER RESOLVED, that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations set for Louisiana's 1994-95 Migratory Bird Hunting Regulations.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Announcement of Alligator Season Quotas was presented by Mr. Johnnie Tarver for informational purposes only. He reminded the Commissioners the season dates were set at the July Meeting. The alligator surveys have been completed and the quotas have been set by habitat type and parish. The potential allotment of tags was approximately 28,000 and represented the most recommended by the staff. Increases in tag issuances were in Cameron, Calcasieu, Vermilion, St. Mary and Terrebonne Parishes. Mr. Tarver hoped for a very successful season. Chairman Schneider also hoped for a good season and that the prices were good. Secretary Herring stated this good news on the season showed how the Department has done a good job with the alligators.

A Declaration of Emergency for Setting 1994-95 Oyster Season was made by Mr. Ron Dugas. The first step in setting a season would be to look at the Public Oyster Grounds. Areas surveyed this year included Lake Borgne, Black Bay area in Plaquemines Parish, Barataria area, Sister Lake, Bay Junope and Calcasieu Lake. Deposition of shell has continued and these areas would remain closed for one year so the oysters could mature. The recommendation was to open the oyster season on September 7 on all areas east of the river with the exception of two shell plant areas, Hackberry Bay and Sister Lake. Also Bay Junope and the Vermilion Bay area would open on September 7. The public tonging reef in Calcasieu Lake would open on November 1. Commissioner Vujnovich felt the recommendations were all fair for the oyster industry and would make everyone happy. Chairman Schneider asked Mr. Dugas to read the Declaration of Emergency. Then he asked if the Resolution had the same wording and noted that both the

Resolution and Declaration of Emergency were identical. Commissioner Vujnovich made a motion to accept the Resolution and Declaration of Emergency. Commissioner Hanchey seconded and the motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

1994/95 Season on the Public Oyster Grounds
Adopted by the
Louisiana Wildlife and Fisheries Commission
August 4, 1994
Louisiana Department of Wildlife and Fisheries

WHEREAS, R.S. 56:433 provides that the Public Oyster Seed Grounds may be opened on the Wednesday following Labor Day which in 1994 is September 7, and

WHEREAS, the oyster resources on the "Public Oyster Seed Grounds and Oyster Seed Reservation" have been surveyed and the available supply and size variation has been determined, and

WHEREAS, it has been a managerial practice to rotate the opening of the season on some of the "Oyster Seed Reservations" when biologically feasible, and

WHEREAS, several sites have been utilized to deposit cultch material as a subsurface to attract oyster larvae and the areas are normally closed to dredging one year, and

WHEREAS, Act #46 of the 1992 Legislative Session changed R.S. 56:433B to mandate a sacking area only on the Public Grounds east of the Mississippi River inclusive of Plaquemines and St. Bernard Parishes.

THEREFORE BE IT RESOLVED, that the "Louisiana Public Oyster Seed Grounds", and the "Bay Junope, and Bay Gardene Oyster Seed Reservations" not currently under lease will open one-half hour before sunrise on September 7, 1994, and

BE IT FURTHER RESOLVED, that the "Hackberry Bay, and Sister Lake Oyster Seed Reservations" will remain closed during the 1994/95 oyster season, and

BE IT FURTHER RESOLVED, that the sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.

BE IT FURTHER RESOLVED, that those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994/95 oyster season, and

BE IT FURTHER RESOLVED, that the Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads, and

BE IT FURTHER RESOLVED, that the Secretary will also have the authority to take emergency action to reopen areas previously closed if the threat to the resource has ended, and

BE IT FURTHER RESOLVED, that the season for Calcasieu and Sabine Lake tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995 with the Secretary having the authority to extend to compensate for the health closure days, and

BE IT FURTHER RESOLVED, notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and 967, and under the authority of R.S. 56:433 and R.S. 56:435.1 notice is hereby given that the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby declares:

1. The Public Oyster Seed Grounds not currently under lease, and the Bay Junope, and Bay Gardene Oyster Seed Reservations will open one-half hour before sunrise on September 7, 1994.

2. The Hackberry Bay, and Sister Lake Oyster Seed Reservations will remain closed during the 1994-95 oyster season.

3. A designated sacking only area east of the Mississippi River will open one-half hour before sunrise on September 7, 1994. The sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.

4. Those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994-95 oyster season.

5. The Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads.

6. The Secretary is authorized to take emergency action to reopen areas previously closed if the threat to the resource subsides.

7. The Calcasieu and Sabine Lake tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995 with the Secretary having the authority to extend to compensate for the health closure days.

8. Notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action.

John F. "Jeff" Schneider
Chairman

A Resolution on USDA Interstate Shellfish Sanitation Conference (I.S.S.C.) Oyster Issue began with Mr. Corky Perret stated he could not believe what came out of Washington, D.C. on the oyster issue. The Food and Drug Administration was proposing to prohibit consumption of raw oysters taken from the Gulf states from April through October. The science does not agree with the proposal stated Mr. Perret. The industry would be devastated and Louisiana alone would be affected by 50 percent of its production. Mr. Perret asked the Commission to approve the Resolution so he could bring it to the Conference. Chairman Schneider asked Mr. Perret to read the Therefore Be It Resolved portion of the Resolution. Commissioner Vujnovich made a motion to accept the Resolution. He also stated there was no reason to accept this proposal and hoped the people in Washington, D.C. would realize they would be putting people out of business. Commissioner Mialjevich seconded the motion and it passed unanimously.

(The full text of the Resolution is made a part of the record.)

RESOLUTION

WHEREAS, recently there has been a late issue being submitted by the U.S. Food and Drug Administration for acceptance at the annual Interstate Shellfish Sanitation Conference (I.S.S.C.) regarding restrictions to be placed on warm water (April thru October) harvesting of oysters for raw consumption from the Gulf Coast, and

WHEREAS, Louisiana oyster fishermen have been harvesting and the consumer consuming oysters during this period since the early 1800's, and

WHEREAS, presently Louisiana fishermen harvested approximately 50% of their annual production during this period, and

WHEREAS, public health officials have developed significant consumer advisory information to notify both the consumer and the medical community of the problem, and

WHEREAS, significant harvest controls have been instituted in Louisiana, and other Gulf States, and

WHEREAS, it has been shown that the incident of infection is extremely small when compared to the annual consumption of raw oysters from the Gulf States, and

WHEREAS, scientists report the problem is mainly associated with immuno-compromised individuals and the handling of the product and not harvesting.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission and the Department are in opposition to any immediate action taken by the I.S.S.C. conference and/or the U.S. Food and Drug Administration until further scientific discussion and appropriate review by both regulatory officials and the oyster industry are done particularly looking at alternative methods.

BE IT FURTHER RESOLVED, a copy of this resolution be transmitted to the Executive Director of the I.S.S.C., the Deputy Commissioner of the U.S. Food and Drug Administration, the Governor of Louisiana, the Chairman of the Senate and House Natural Resources Committee of the Louisiana Legislature, and the Louisiana Congressional Delegation.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Mr. Brandt Savoie presented the Declaration of Emergency for **Setting 1994 Fall Inshore Shrimp Season**. Zone 1 had seen some good numbers of shrimp moving into the area for a while and the sizes were pretty good. The Barataria Bay system in Zone 2 was a little behind the rest of the area. There were two distinct crops of shrimp in the Timbalier and Terrebonne to Sister Lake areas. The shrimp in Zone 3 moved in late also and are behind the other two zones. The recommendation for the Fall Shrimp Season was to open Zone 1 on August 15, Zone 2 on August 15 and Zone 3 on August 22. Then Mr. Savoie noted two major changes, that being, opening time would be official sunrise and the setting of a closing date. Chairman Schneider asked Mr. Savoie to read the Declaration of Emergency and since the Resolution was the same as the Declaration of Emergency they would vote on both at the same time. Commissioner Mialjevich asked if Mr. Savoie had talked to any one since the last meeting on the night time ban on shrimping in Vermilion Bay and were there any major complaints received. He then asked if it would be appropriate to add the same night ban in the Vermilion Bay area to the Resolution now? Commissioner Mialjevich made a motion to add the night shrimping ban to the Declaration of Emergency and Resolution. Commissioner Vujnovich seconded the motion. Mr. Savoie then read the description of the night shrimping ban. There were no public comments heard on this item. The motion passed with no opposition.

(The full text of the Resolution and
Declaration of Emergency is made a
part of the record.)

RESOLUTION

1994 Fall Inshore Shrimp Season
adopted by the
Louisiana Wildlife and Fisheries Commission

- WHEREAS,** R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons each calendar year for all inside waters by zone, and
- WHEREAS,** R.S. 56:497 states the shrimp seasons shall be based on biological and technical data which indicates that marketable shrimp are available, and
- WHEREAS,** R.S. 56:498 provides the minimum legal count on white shrimp is 100 (whole shrimp) count per pound, except during the time period from October fifteenth through the

third Monday in December when there shall be no count,
and

WHEREAS, historical and current biological sampling conducted by the Department of Wildlife and Fisheries has indicated that white shrimp will average 100 count minimum size or larger by mid August, in inshore shrimp Zones 1 and 2 and in inshore shrimp Zone 3 approximately one week later,

NOW THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore "White" Shrimp Season by public notice in accordance with R.S. 56:497, to open in Zones 1 and 2 at official sunrise Monday, August 15, 1994 and in Zone 3 at official sunrise Monday, August 22, 1994.

BE IT FURTHER RESOLVED, that the Commission does hereby prohibit shrimping between official sunset and official sunrise in the inside waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermilion Bay, not to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92°00.43' longitude by 29°36.69' latitude and 92°00.30 longitude by 29°36.29' latitude.

BE IT FURTHER RESOLVED, the Wildlife and Fisheries Commission does hereby set the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday, December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicates the need to do so or if enforcement problems develop.

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 1994 Fall Inshore "White" Shrimp Season is attached to and made a part of this resolution.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the

Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore Shrimp Season to open as follows:

Zone 1, that portion of Louisiana's inshore waters from the Mississippi State line westward to the eastern shore of South Pass of the Mississippi River, at official sunrise Monday, August 15, 1994, and

Zone 2, that portion of Louisiana's inshore waters from the eastern shore of South Pass of the Mississippi River westward to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, at official sunrise Monday, August 15, 1994, and

Shrimping is prohibited between official sunset and official sunrise in the inshore waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermilion Bay not to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92°00.43' longitude by 29°36.69' latitude and 92°00.30' longitude by 29°36.29' latitude.

Zone 3, that portion of Louisiana's inshore waters from the western shore of Vermilion Bay and Southwest Pass at Marsh Island westward to the Texas State line, at official sunrise Monday, August 22, 1994.

The Commission also hereby sets the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday, December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicates the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider
Chairman

Commissioner Mialjevich asked Professor Ken Roberts to present a Summary Proceedings of Coastal Fishing - What is the Future? Dr. Roberts, a Resource Economist with the LSU Extension Service presented each Commission member with a copy of the workshop held at LSU on April 4 and 5. The Extension Service group conducts off campus educational programs for those who use the marine resources. Managers and science was getting ahead of the ability of resource users to understanding the management and science used to make decisions. This workshop was to bring both recreational and commercial industry leaders together. The "What is the Future?" was not answered during the workshop, but the goal was to stimulate the people to find information, sources, expertise and more efficiently participate in the management decisions to improve the

marine resources. Members of the staff from the Department were relied on to be speakers for the workshop. Dr. Roberts then gave an overview of the different topics. Chairman Schneider asked if this was the end to the discussion or the beginning of more discussions, who decided the topics and who would present the topics. Then he asked when the program was planned for next year and to please send a copy before the finals plans are made. Commissioner Mialjevich stated he was disappointed he could not go and that this workshop was what was needed for the commercial, the recreational and the consumers. Chairman Schneider asked if the workshop was federally funded? Commissioner Jones asked if the Extension Service has the same involvement with the commercial segment as they do with the recreational segment. Dr. Roberts explained how they go to Sportsmen's Shows each year with fact sheets and bag and creel limits for both freshwater and saltwater fish. Chairman Schneider asked what was the cost of the workshop? Commissioner Jones asked if LSU has ever funded research for recreational users? To wind up, Dr. Roberts offered to send a copy of the fact sheets and bag and creel limit cards to the Commissioners.

Shell Dredging, Central Coast - Consideration of Minerals Committee Recommendation and Rebidding Lease was the next issue to be discussed. Commissioner Jones stated the Minerals Committee of the Commission met on August 4 to review the fact there were no bids received from the initial bid package. The Committee reviewed the bid package and those things done in the past to get a successful bid. The Committee concluded the Minimum Royalty Payment should go from 1/8 of \$7.50 to 1/8 of \$10.00 and the Annual Minimum Royalty should go from \$800,000 to \$1,000,000 annually. There was hope this new bid package would be advertised and receive bids before the next Commission Meeting. Commissioner Mialjevich asked what was the minimum royalty payment for 1993? Commissioner Jones stated the Department was obligated to receive 1/8 of the cubic yard price f.o.b. the dredge, which the Committee perceived to be approximately \$10.00. He then asked Mrs. Karen Foote to read the Therefore Be It Resolved portion of the Resolution to accept the bid package. Commissioner Jones made a motion to accept the Resolution and was seconded by Commissioner Cormier. The motion passed with no opposition.

(The full text of the Resolution is made a part of the record.)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LOUISIANA

AUGUST 4, 1994

RESOLUTION

WHEREAS, the recommendation of the Minerals Committee, Counsel and staff having been considered; and

WHEREAS, for purposes of the prospective lease, the Commission is charged with determining the minimum acceptable royalty bid as a fraction of the "selling price of the shell produced" which is defined as the price of the shell FOB dredge site, exclusive of any transportation cost and the guaranteed annual minimum royalty; and

WHEREAS, the minimum royalty on the 1991 lease bid package was one-eighth (1/8) of seven dollars and fifty cents (\$7.50), which would have yielded a per cubic yard royalty of approximately ninety-four cents (\$.94); and

WHEREAS, the guaranteed annual minimum royalty on the 1991 lease bid package was eight hundred thousand dollars (\$800,000); and

WHEREAS, the Commission desires to increase the minimum royalty and the guaranteed annual minimum royalty from the 1991 lease bid package for the prospective lease; and

WHEREAS, the Commission received no bids for the lease package bid opening on July 25, 1994 at the minimum royalty of one-eighth (1/8) of twenty-one dollars and thirty-six cents (\$21.36), yielding a per cubic yard royalty of two dollars and sixty-seven cents (\$2.67) and a guaranteed annual minimum royalty of eight hundred thousand dollars (\$800,000).

THEREFORE BE IT RESOLVED, that the Commission does hereby adopt the recommendation of the Minerals Committee and sets the minimum acceptable per cubic yard royalty at one-eighth (1/8) of ten dollars and no cents (\$10.00).

BE IT FURTHER RESOLVED, the Commission does hereby set the guaranteed annual minimum royalty for the entirety of the proposed acreage at one million dollars (\$1,000,000).

BE IT FURTHER RESOLVED, that this Commission does hereby instruct the Secretary and staff to carry out all necessary acts for the soliciting of bids and execution of the lease including, but not limited to: 1) submission of a Notice of Publication to State Lands for advertisement, and 2) submission of the Notice of Publication to all known dredging companies.

BE IT FURTHER RESOLVED, that legal counsel and staff are hereby authorized to make modifications to the lease document and bid package contingent upon notification to the Chairman.

BE IT FURTHER RESOLVED, that the last time for accepting bids for the lease tract(s) and the bid opening day will be August 29, 1994, at 2:00 p.m.

I HEREBY CERTIFY that the above and foregoing resolution was duly passed by the Louisiana Wildlife and Fisheries Commission on the 4th day of August, 1994.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Civil Restitution and Class 1 Update for the month of July was provided by Ms. Wynnette Kees. During July, 17 cases were assessed for a value of \$2,127 and payment was received on 23 cases which totaled \$3,538. During Fiscal Year 1993-94, a total of 476 assessments were issued for a value of \$425,000 and the Department received payments on 379 assessments totaling \$117,000. Ms. Kees proceeded to update the Commissioners on how confiscated goods were sold and the monies credited to the Conservation Fund. Judgements for the March and July hearings have been received from the Hearing Officer and cover letters would be sent to violators. Chairman Schneider asked if the computer program could determine how many violators were repeat offenders, how many years has the Civil Restitution Program been around, and if the program was deterring the public.

The Monthly Law Enforcement Report for July was given by Major Tommy Candies. The following numbers of citations were issued during the month of July.

Region I - Minden - 87 citations.

Region II - Monroe - 93 citations.

Region III - Alexandria - 219 citations.

Region IV - Ferriday - 150 citations.

Region V - Lake Charles - 203 citations.

Region VI - Opelousas - 170 citations.

Region VII - Baton Rouge - 328 citations.

Region VIII - New Orleans - 273 citations.

Region IX - Thibodaux - 326 citations.

Oyster Strike Force - 42 citations.

Statewide Strike Force - 158 citations.

Offshore Boats (SWEP) - 8 citations.

The grand total of citations issued statewide for the month of July was 1,857.

Commissioner Gisclair stated he has received complaints about licenses getting to the different sporting good stores and asked if they were getting to the stores in a timely manner. Then he asked when was the determination made on how much of a catch was taken when violations occurred.

Lt. Brian Spillman, representing Col. Vidrine, wished to recognize three Enforcement Agents that have gone above and beyond the call of duty in their actions. An account of each heroic effort was read by Lt. Spillman. The three agents recognized were Sr. Agent John Lopez, Lt. Willie Dufrene and Sr. Agent Chuck Comeaux. Secretary Herring noted it was great to recognize the agents' accomplishments but suggested awards of this type should be placed first on the agenda so the proper recognition could be given these individuals.

Lt. Col. Charlie Clark was not available to give a report on the **Dangers in Law Enforcement Boating**.

Mr. Bob Dennie began the discussion on **Marsh Maneuvers/Aquatic Education**. He first noted the Louisiana Youth took top honors at the North American Hunter Education Invitational. It was a great honor for the State and the Hunter Education program. Then Mr. Dennie introduced Mr. Paul Jackson to speak on the Aquatic Education and Marsh Maneuvers Programs.

Mr. Paul Jackson stated the Aquatic Education program was going into its seventh year. Aquatic Education was to familiarize the public with the sport of fishing as well as how important wetlands are to the State. In 1989, funding was secured for the Aquatic Education program and, at that time, they wanted to conduct clinics on the sport of fishing and develop a program for the schools to educate both educators and students. Some of the programs developed since 1989 were discussed by Mr. Jackson. One of these programs was called, Wild Louisiana, which consisted of wetlands, redfish and alligators. Commissioner Jones asked for a copy of the Wild Louisiana manual. A second program, Project Water, dealt with freshwater fisheries. Other programs discussed were Wetland Activity Guide, Let's Go Fishing, and the Splash Calendar. One of the biggest programs is school clinics in the Caddo/Bossier Parishes where every fifth grade teacher went through a workshop and information was provided for each student in those schools.

Next, Mr. Jackson turned the discussion to Marsh Maneuvers. This program is a senior 4-H wetland camp for students to go to the marsh and learn about the coastal wetland environment. The first year, the Department, LSU SeaGrant and the Cooperative Extension Service were involved. Last year the Barataria-Terrebonne National Estuary Program asked to be involved in the program and donated funds for the program. A video of the third camp held during July 1994 was shown at this point. This one particular program seems to have a lot of impact on a lot of young people stated Mr. Jackson. He then personally thanked Mr. John Roussel, Mr. Claude Boudreaux, Mr. Corky Perret and the employees at the Marine Lab for their help in making the program a success. Commissioner Gisclair asked how were the students selected for this program. Chairman Schneider asked what was the cost and asked if there was a possibility to expand the program.

The **Secretary's Report** to the Commission was given by Secretary Herring. He began emphasizing that if there was a good Information and Education Division, and had a good program that would sell the Department, then you can get money for the other divisions.

The Department and the Louisiana Fur and Alligator Council hosted nine Japanese that are tops in the fur trade for about a week. The trip included visiting Rockefeller Refuge, a number of alligator farms, and seeing wild alligators and the work associated with them. It was hoped that there would be an increase in trade with Japan and an increase in the alligator production.

Department staff got together and prepared a Marsh Management position for the Environmental Protection Agency, Science Advisory Board. The staff did a good job in preparing this statement.

Interviews are being held for an Urban Biologist position in the Natural Heritage program. Secretary Herring hoped the position would be filled by the next Commission meeting. This person would work with the wildlife in the city and it should be a very popular program.

The Information & Education Division has advised there are 43 women registered for the Outdoors Woman program to be held September 16 through September 18 at Camp Grant Walker.

The Wildlife Division has lost, through budget cuts, approximately 35 people in their head count. Due to this some changes have occurred. These included, the Dewey W. Wills WMA and personnel assigned to it would be transferred to District 3; and the Boise Vernon WMA, Fort Polk WMA and the Peason Ridge WMA and their respective personnel would be transferred to District 5.

Secretary Herring suggested the Chairman and Commissioners think of again holding an informal type meeting that would be part

of the Commission Meeting before the regularly scheduled Meeting. This informal meeting would be to meet with the Division Administrators to find out what the Department was doing.

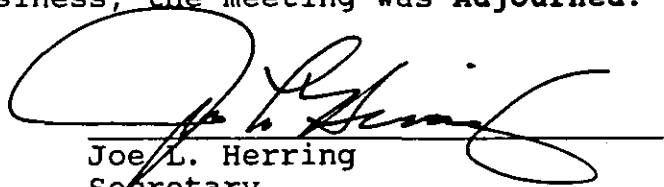
Secretary Herring then began a Discussion of the November 1994 Meeting that has been scheduled for November 3rd. The Department requested holding the meeting at the Alexander State Forest in Woodworth. The educational facility has been completed and hopefully the contract for the new fish hatchery facilities would be announced and a ceremony for both could be held at Alexander State Forest. The request to hold the meeting in Woodworth was agreed upon by all the Commission members.

The December 1994 Meeting Date was scheduled for Thursday, December 1, 1994 in the Baton Rouge office, beginning at 10:00 a.m.

Chairman Schneider asked for Public Comments.

Commissioner Mialjevich asked Chairman Schneider to announce the members of the Limited Entry Committee of the Commission.

There being no further business, the meeting was Adjourned.



Joe L. Herring
Secretary

JLH:sch

Corrections made
8/16/94-sch

Draft

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, August 4, 1994

Chairman Jeff Schneider presiding.

Bert Jones
Peter Vujnovich
Jerald Hanchey
Joseph B. Cormier
Tee John Mialjevich
Perry Gisclair

Secretary Joe L. Herring was also present.

Chairman Schneider called for a motion for approval of the **July 7, 1994, Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Mialjevich. The motion passed unanimously.

The June **Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed four pilots and one contract pilot flew a total of 74.10 hours for the month, along with the breakdown for the different planes, the estimated cost, the actual cost and the Commission's method. The individual flight logs ~~was~~ *were* also listed in the report.

AS Commissioner Gisclair stated he was contacted by people to have a Declaration of Emergency and Possible Notice of Intent for **Consideration of a Statewide Night Shrimping Ban** placed on the agenda. There was still the intention of prohibiting shrimping in the Vermillion Bay area ~~like what~~ occurred during the Spring Shrimp Season stated Commissioner Gisclair. He also stated he received telephone calls both for and against the statewide ban. Secretary Herring stated the Department has received a memorandum from Senator Chris Ullo asking that any decisions be delayed until more hearings could be held or copies of studies be sent to him. Also, Representative Randy Roach contacted Secretary Herring and asked that any decisions be delayed until additional information could be obtained. Mr. Corky Perret stated he was contacted by Commissioner Gisclair on this request. Commissioner Jones asked what was the major reason to stop shrimping at night. Mr. Perret stated there was a diverse group of shrimpers and some felt it best to do away with shrimping at night. The Department staff felt the ban would not increase the volume of shrimp taken, and the size would remain the same. Chairman Schneider asked if the other states have a ban and has the Shrimp Task Force looked at this? Commissioner Jones asked how ~~was~~ the Shrimp Task Force ~~doing~~ and what was the position on the shrimp sanctuaries? Mr. Perret stated the Shrimp Task Force

has not addressed ~~the~~ night shrimping. Chairman Schneider asked if any action needed to be taken by the Commission for the Task Force to look at this item. Commissioner Gisclair also requested the Task Force look at this issue. He hoped the Task Force would be able to meet within the next month. Commissioner Cormier felt the consideration of no night shrimping should be studied more. Commissioner Gisclair stated he was very disappointed to know the person who wanted this on the agenda, Mr. Allen Gaudet, was not at the meeting. Commissioner Mialjevich reminded everyone he suggested the ban for Vermilion Bay and felt a statewide ban would be too much of a shock for the industry. He then stated the shrimp industry was changing and this ban may be viable for some parts of the state, but the Shrimp Task Force needed to look at it first and decide. Mr. Perret emphasized to the audience the Commissioners were not to blame for the shrimpers not hearing about this item being on the agenda. Chairman Schneider decided the consensus of the Commission was to let the Shrimp Task Force look at this issue and report back. He then allowed Public Comments at this time.

Mr. Kenny Adams stated 80 percent of his living was made at night and the night shrimping ban would put him totally out of business.

Mr. Andy Valence, Mayor of Grand Isle, invited Mr. Allen Gaudet, who showed up late for the meeting, to state his reason for suggesting the ban on night shrimping. Mr. Allen Gaudet stated his reason ~~was~~ to be used as a resource management tool. The rules and regulations set for the Department are made for political reasons and not for the resources. ~~Chairman Schneider stated the environment was changing and things that were never looked at in the past would need to be looked at in the future. Commissioner Gisclair asked that all the shrimpers make their concerns known to the Shrimp Task Force in an effort to avert future problems. Mayor Valence felt Mr. Gaudet was proposing the wrong solution and then requested that an effort be made to invite all the different fishing communities the next time this issue was discussed. The Mayor then thanked the Commissioners for not acting today.~~ *FOR the BAN* *he said.*

Mr. Donald Lirette, President of Terrebonne Fishermen's Organization, stated he chaired the last Shrimp Task Force meeting that compiled the results of a survey that was given to fishermen statewide. One of the questions on the survey was, are you for or against night fishing on white shrimp. The results was 50 percent ~~was~~ for night shrimping, 40 percent ~~was~~ against night fishing, 5 percent ~~was~~ undecided. The Task Force decided to include night fishing as an agenda item for their next meeting. There was a 67 percent opposition to sanctuaries statewide and thus no action was taken at that time. He then asked the members of the Shrimp Task Force at the meeting to identify themselves. Mr. Lirette felt this issue was a political issue rather than a biological tool. Commissioner Mialjevich asked Mr. Perret ~~if there are only a certain number of larvae in the brackish waters, then only a small~~ *were* *were*

amount of these would grow into shrimp and what was the deciding factor. Mr. Perret explained the difference between the two species of shrimp. He then showed a graph on historical catch for the Gulf of Mexico which dated back to 1960.

Mr. George Barasich began ^{by} stating management of the resources needed to be looked at in regards to areas of the state and not the whole state. The proposed night shrimping ban was not in the best interest of all the fishermen in the state. Mr. Barasich then stated he fished in Zone 1 and as soon as daylight appears, the shrimp disappear. He then pleaded for all the fishermen to stick together and fight with the Department.

Mr. Danny Babin, Indian Ridge Shrimp Company, stated that if everyone called a Commissioner to have an item put on the agenda, you would never get anything done. If you wanted to take pressure off the system, there was a need to look at who was getting a license and maybe implementing a limited entry system.

Mr. Bill Dekemel, representing ^{what he called} the true commercial fishermen, stated these agenda items needed to be screened to find out the real reason behind them. He felt limited access was better than limited entry. The season for inshore shrimpers was only six months long whereas the offshore season was year round. The trawl fishery east of the Mississippi River can not survive if there ~~was~~ ^{is} no night shrimping. He then asked Commissioner Gisclair to make a motion to remove the item from the agenda. Commissioner Gisclair hoped Mr. Dekemel did not think the Commissioners would take action on this item after the fishermen left the meeting.

~~WERE~~ Mr. Pete Gerica, Lake Pontchartrain Fishermen's Association, stated the calls from the east of the river wanting the ban on night shrimping ~~was~~ from his organization. Commissioner Mialjevich asked Mr. Gerica, if when the Commission considers the Vermilion Bay area for no night shrimping, should Lake Pontchartrain also be included? Mr. Gerica suggested the Shrimp Task Force should look at the issue.

Declaration of Emergency for **Setting Season Dates, Bag Limits for Doves, Snipe, Rails, Woodcock, Gallinules, and September Teal Season** was handled by Mr. Dave Morrison. Mr. Morrison stated last month the Commission was provided with recommendations for these birds. The Fish and Wildlife Service has gone through their regulatory process and finally established the regulations. The adoption of the seasons by Declaration of Emergency was the action to be taken. He then read the season dates for the record. Chairman Schneider then asked for public comments.

Mr. Carl Gremillion stated he was opposed to the 15 ^{bird} bag limit and 60 day dove season and preferred the 12 ^{bird} bag limit and 70 day season. Then he asked how did the no-morning-hunts on the opening weekend of the dove season come to pass and who presented the 15 ^{bird}

limit and 60 day season for consideration to the Commission. Commissioner Jones stated there were two scenarios given to the Commission by the Department and that he preferred the 15 bird bag limit with a 60 day season.

Mr. Morrison read the Therefore Be It Resolved portion of the Resolution. A motion was made by Commissioner Jones for approval of the resolution, season dates, bag limits and shooting hours and was seconded by Commissioner Gisclair. This motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, public hearings in Washington, D.C. have been held on early migratory bird season regulations that include dove, snipe, rail, gallinule, woodcock and teal, and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing early migratory bird season frameworks have been developed by the U.S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for migratory species that include season dates, bag limits and shooting hours, and

WHEREAS, it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U.S. Fish and Wildlife Service framework, now

THEREFORE BE IT RESOLVED, that the attached dates are hereby adopted as the permanent seasons for these migratory species by Declaration of Emergency, and

BE IT FURTHER RESOLVED, that these dates will be in effect from September 1, 1994 through sunset February 28, 1995.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following emergency rule:

The hunting seasons for migratory birds established during the early regulatory process for the 1994-95 hunting season shall be as follows:

1994-95 Hunting Seasons for Early Migratory Birds

Dove: Split Season, Statewide, 60 days
September 3 (Saturday) - September 11 (Sunday) 9 days
October 15 (Saturday) - November 6 (Sunday) 23 days
December 10 (Saturday) - January 6 (Friday) 28 days
Daily bag limit 15, Possession limit 30

Teal: September 17 (Saturday) - September 25 (Sunday) 9 days
Daily bag limit 4, Possession limit 8, Blue-winged,
Green-winged and Cinnamon teal only. Federal and State waterfowl
stamps required.

Rails: Split Season
September 17 (Saturday) - September 25 (Sunday) 9 days
November 12 (Saturday) - January 11 (Sunday) 61 days
King and Clapper: Daily bag limit 15 in the aggregate,
Possession 30
Sora and Virginia: Daily bag and possession 25 in the
aggregate

Gallinules: Split Season
September 17 (Saturday) - September 25 (Sunday) 9 days
November 12 (Saturday) - January 11 (Sunday) 61 days
Daily bag limit 15, Possession limit 30

Snipe: November 5 (Saturday) - February 19 (Sunday) 107 days
Daily bag limit 8, Possession limit 16

Woodcock: November 28 (Monday) - January 31 (Tuesday) 65 days
Daily bag limit 5, Possession limit 10

NOTE: This will be the set season for the future unless changes in the framework occur.

SHOOTING HOURS:

Teal, Rail, Snipe, Woodcock and Gallinule: One-half hour before sunrise to sunset.

Dove: One-half hour before sunrise to sunset except noon to sunset on September 3-4, October 15-16 and December 10-11 when shooting hours will be 12 noon to sunset.

A Declaration of Emergency is necessary because the U.S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits and shooting hours must be established and presented to the U.S. Fish and Wildlife Service immediately.

The aforementioned dates, bag limits and shooting hours will become effective September 1, 1994 and extend through sunset on February 28, 1995.

John F. "Jeff" Schneider
Chairman

Announcement of Tentative Season Dates for Ducks, Geese and Coots began with Mr. Robert Helm showing a video on the status of waterfowl for 1994 prepared by the U.S. Fish and Wildlife Service. After the video, Mr. Hugh Bateman stated it should be obvious how good it looks as far as duck production goes. Then Mr. Bateman pointed out several things the video left out. The cooperation of private landowners through the Conservation Reserve Program has had a spectacular impact on the duck populations. Mr. Bateman felt with the situation he saw while on a Canadian trip, the 71 million bird index was probably in the 75 to 80 million bird index. Another point not made during the video was the shrinkage in ponds was very minimum this year throughout the summer months. He explained the proper ecology of a wetland system to retain its productivity and this was what occurred in Canada and the northern United States. If water conditions and the retention of existing water was good, then the probability of having another good year next year was virtually assured. From the trip to Canada, Mr. Bateman stated it was very important to continue concentrating on keeping the existing programs to keep grasslands and cover for ducks in place.

that ~~the 71 million bird index was probably in the 75 to 80 million bird index.~~ *RANGE*
said

After the trip to Canada, Flyway Council meetings were held to discuss the technical data. A recommendation was made by all of the Flyway Councils to increase the bag limit and number of days. The U.S. Fish and Wildlife Service Regulations Committee chose to limit the opportunity for hunters by allowing the one additional duck but no increase in the number of days. Mr. Bateman recommended sending a resolution from the Commission along with a

letter from Secretary Herring to the Director of the U.S. Fish and Wildlife Service objecting to the position that they will not allow any additional days of hunting. Commissioner Jones asked who served on the Regulations Committee in Washington, D.C.; did all regions suggest the number of days and bag limit be increased; and how many days of duck hunting does California have. The public comment period on the recommendations from the Regulations Committee was open for 30 days. The Regulations Committee from the Service made the statement it was not politically correct nor socially acceptable at this time to consider these things. Chairman Schneider asked if Mollie Beattie made that statement and then asked for the names and addresses of the committee members. Mr. Bateman asked Mr. Puckett what needed to be done in order for the Commissioners to adopt the 30 day season and giving Secretary Herring the authority to change ~~it~~ if given the 40 days. Commissioner Jones asked if it was okay to approve a 40 day season time frame within the Resolution that also has the 30 day season. Mr. Puckett stated the Commission could approve the basic season framework with the 30 days and in the same Resolution it should be stated that if the 40 days were approved, then those seasons could be adopted. Chairman Schneider asked if the rules needed to be suspended to formally adopt the Resolution and letter to the U.S. Fish and Wildlife Service. Commissioner Jones made a motion to suspend the rules to consider a Resolution that would be sent to the U.S. Fish and Wildlife Service concerning the extension of the migratory duck hunting season from 30 days to 40 days. Commissioner Cormier ~~it~~ seconded the motion and passed with no opposition. Commissioner Jones read the Resolution and then made a motion to accept it. Commissioner Hanchey seconded the motion and passed unanimously. Commissioner Jones suggested Chairman Schneider should write a letter on this subject to Ms. Mollie Beattie. Then he stated the most important variable in duck population is not hunter mortality, but habitat conditions. ;x

(The full text of the Resolution is made a part of the record.)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has reviewed the information provided by our technical staff, and

WHEREAS, this information was provided by the U.S. Fish and Wildlife Service, and

WHEREAS, the duck Fall Flight Forecast is the highest recorded since the late 1970's, and

WHEREAS, habitat conditions in the Northern United States and Canada have shown significant improvements, and

WHEREAS, the outlook for the subsequent breeding season appears optimistic, and

WHEREAS, the Mississippi Flyway Council and Technical Section have both agreed that liberalizing the daily bag and season length will not have any adverse impact on waterfowl populations, and

WHEREAS, the Atlantic, Central and Pacific Flyway Councils have also recommended a similar increase in bag limits and days, and

WHEREAS, habitat conditions, not hunting mortality, is the primary reason for fluctuations in waterfowl populations, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission respectfully requests that the recommendations of the States be given due consideration and the position taken by the U.S. Fish and Wildlife Service be reversed, and

BE IT FURTHER RESOLVED, that the recommendations made by the Mississippi Flyway be instituted for the upcoming hunting season and allow for 10 additional days of hunting opportunity.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Continuing on, Mr. Robert Helm first gave the 30 day season dates for ducks and coots as:

West Zone:	November 12 - November 27
	December 27 - January 9
East Zone:	November 19 - November 27
	December 27 - January 16

Chairman Schneider asked what was the latest the seasons could run in the guidelines for January?

Catahoula:	November 19 - November 27
	December 12 - January 1

The dates for the 40 day season are:

West Zone:	November 12 - November 27 December 17 - January 10
East Zone:	November 19 - November 27 December 17 - January 16
Catahoula:	November 19 - November 27 December 10 - January 9

Commissioner Jones asked ^{CONCERNING} ~~in~~ the 30 day season, why open the second split on Tuesday, December 27 and not on Monday, December 26. He felt there would be an increase in hunter opportunity if the second split opened on December 26 rather than on the 27th. Chairman Schneider asked what would happen in the East Zone if you ran the season all the way to January 20. Commissioner Hanchey suggested leaving the dates as they are.

Mr. Helm continued with stating the daily bag limit on ducks is four and may include no more than three mallards (no more than one of which may be a female), three mottled ducks, one black duck, two wood ducks, one pintail, one canvasback and one redhead. Daily bag limit on coots is 15. The daily bag limit for mergansers is five, only one of which may be a hood merganser. Merganser limits are in addition to the daily bag limit for ducks. The possession limit on ducks, coots and mergansers is twice the daily bag limit.

Geese: November 12 - December 4, December 17 - February 1 and snow goose only hunting of February 2 - February 14. Daily bag limit is seven in the aggregate of blue, snow and white fronted geese of which not more than two may be white-fronted. There would also be a nine day Canada Goose Season.

Shooting hours are one-half hour before sunrise to sunset.

Chairman Schneider asked if he could kill four teal, four ringnecks and four of any species not listed? Then he asked Mr. Helm to read the Therefore Be It Resolved portion of the Resolution. Chairman Schneider asked for public comments on the season dates.

Mr. Daryl Valenti asked if there was a biological reason why the duck season in the west was shut down earlier than the east zone? Mr. Helm and Secretary Herring stated this question comes up every year and then explained the reasons.

Mr. Carl Gremillion asked how much revenue was lost because of the loss of hunters, licenses and duck stamps each year?

Chairman Schneider asked the pleasure of the Commission. Commissioner Jones continued his discussion on the second split opening on December 26. Then he made a motion to accept the 30 day framework except to move from the opening date of December 27 to December 26 in both the east and west zones. Commissioner Mialjevich seconded the motion. Secretary Herring suggested taking

into consideration at least one-third of the duck hunters would have to travel on Christmas Day if they went with the December 26 opening day. Commissioner Vujnovich was against the change because it would put a strain on the Enforcement Agents. Commissioner Jones and Commissioner Mialjevich voted for the motion and Chairman Schneider, Commissioner Vujnovich, Commissioner Gisclair and Commissioner Hanchey opposed the motion.

Commissioner Jones made another motion, to accept the dates for the west zone as suggested, and in the east zone open on December 26. The motion died for lack of a second. Then Commissioner Cormier made a motion to accept the Department's recommendations and resolution. Commissioner Hanchey seconded the motion and passed with no opposition.

(The full text of the Resolution is made a part of the record.)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

- WHEREAS,** public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington, D.C., and
- WHEREAS,** the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and
- WHEREAS,** rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and
- WHEREAS,** the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and
- WHEREAS,** it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now
- THEREFORE BE IT RESOLVED,** that on this date, the Louisiana Wildlife and Fisheries Commission does hereby tentatively adopt the attached season dates, bag limits and shooting hours, and

BE IT FURTHER RESOLVED, that these tentative dates will be ratified by Declaration of Emergency at the September meeting unless significant changes occur as a result of continuing deliberations and comments with the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED, that if changes should occur prior to the next Commission meeting, the Secretary is granted the authority to react and establish seasons within new frameworks established, and

BE IT FURTHER RESOLVED, that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations set for Louisiana's 1994-95 Migratory Bird Hunting Regulations.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Announcement of Alligator Season Quotas was presented by Mr. Johnnie Tarver for informational purposes only. He reminded the Commissioners the season dates were set at the July Meeting. The alligator surveys have been completed and the quotas have been set by habitat type and parish. The potential allotment of tags was approximately 28,000 and represented the most recommended by the staff. Increases in tag issuances were in Cameron, Calcasieu, Vermilion, St. Mary and Terrebonne Parishes. Mr. Tarver hoped for a very successful season. Chairman Schneider also hoped for a good season and that the prices were good. Secretary Herring stated this good news on the season showed how the Department has done a good job with the alligators.

A Declaration of Emergency for **Setting 1994-95 Oyster Season** was made by Mr. Ron Dugas. The first step in setting a season would be to look at the Public Oyster Grounds. Areas surveyed this year included Lake Borgne, Black Bay area in Plaquemines Parish, Barataria area, Sister Lake, Bay Junope and Calcasieu Lake. Deposition of shell has continued and these areas would remain closed for one year so the oysters could mature. The recommendation was to open the oyster season on September 7 on all areas east of the river with the exception of two shell plant areas, Hackberry Bay and Sister Lake. Also Bay Junope and the Vermilion Bay area would open on September 7. The public tonging reef in Calcasieu Lake would open on November 1. Commissioner Vujnovich felt the recommendations were all fair for the oyster industry and would make everyone happy. Chairman Schneider asked Mr. Dugas to read the Declaration of Emergency. Then he asked if the Resolution had the same wording and noted that both the Resolution and Declaration of Emergency were identical. Commissioner Vujnovich made a motion to accept the Resolution and

Declaration of Emergency. Commissioner Hanchey seconded and the motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

1994/95 Season on the Public Oyster Grounds
Adopted by the
Louisiana Wildlife and Fisheries Commission
August 4, 1994
Louisiana Department of Wildlife and Fisheries

WHEREAS, R.S. 56:433 provides that the Public Oyster Seed Grounds may be opened on the Wednesday following Labor Day which in 1994 is September 7, and

WHEREAS, the oyster resources on the "Public Oyster Seed Grounds and Oyster Seed Reservation" have been surveyed and the available supply and size variation has been determined, and

WHEREAS, it has been a managerial practice to rotate the opening of the season on some of the "Oyster Seed Reservations" when biologically feasible, and

WHEREAS, several sites have been utilized to deposit cultch material as a subsurface to attract oyster larvae and the areas are normally closed to dredging one year, and

WHEREAS, Act #46 of the 1992 Legislative Session changed R.S. 56:433B to mandate a sacking area only on the Public Grounds east of the Mississippi River inclusive of Plaquemines and St. Bernard Parishes.

THEREFORE BE IT RESOLVED, that the "Louisiana Public Oyster Seed Grounds", and the "Bay Junope, and Bay Gardene Oyster Seed Reservations" not currently under lease will open one-half hour before sunrise on September 7, 1994, and

BE IT FURTHER RESOLVED, that the "Hackberry Bay, and Sister Lake Oyster Seed Reservations" will remain closed during the 1994/95 oyster season, and

BE IT FURTHER RESOLVED, that the sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.

BE IT FURTHER RESOLVED, that those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994/95 oyster season, and

BE IT FURTHER RESOLVED, that the Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads, and

BE IT FURTHER RESOLVED, that the Secretary will also have the authority to take emergency action to reopen areas previously closed if the threat to the resource has ended, and

BE IT FURTHER RESOLVED, that the season for Calcasieu and Sabine Lake tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995 with the Secretary having the authority to extend to compensate for the health closure days, and

BE IT FURTHER RESOLVED, notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and 967, and under the authority of R.S. 56:433 and R.S. 56:435.1 notice is hereby given that the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby declares:

1. The Public Oyster Seed Grounds not currently under lease, and the Bay Junope, and Bay Gardene Oyster Seed Reservations will open one-half hour before sunrise on September 7, 1994.

2. The Hackberry Bay, and Sister Lake Oyster Seed Reservations will remain closed during the 1994-95 oyster season.

3. A designated sacking only area east of the Mississippi River will open one-half hour before sunrise on September 7, 1994. The sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.

4. Those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994-95 oyster season.

5. The Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads.

6. The Secretary is authorized to take emergency action to reopen areas previously closed if the threat to the resource subsides.

7. The Calcasieu and Sabine Lake tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995 with the Secretary having the authority to extend to compensate for the health closure days.

8. Notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action.

John F. "Jeff" Schneider
Chairman

A Resolution on **USDA Interstate Shellfish Sanitation Conference (I.S.S.C.) Oyster Issue** began with Mr. Corky Perret stated he could not believe what came out of Washington, D.C. on the oyster issue. The Food and Drug Administration was proposing to prohibit consumption of raw oysters taken from the Gulf states from April through October. The science does not agree with the proposal stated Mr. Perret. The industry would be devastated and Louisiana alone would be affected by 50 percent of its production. Mr. Perret asked the Commission to approve the Resolution so he could bring it to the Conference. Chairman Schneider asked Mr. Perret to read the Therefore Be It Resolved portion of the Resolution. Commissioner Vujnovich made a motion to accept the Resolution. He also stated there was no reason to accept this proposal and hoped the people in Washington, D.C. would realize they would be putting people out of business. Commissioner Mialjevich seconded the motion and passed unanimously.

if

(The full text of the Resolution is made a part of the record.)

RESOLUTION

WHEREAS, recently there has been a late issue being submitted by the U.S. Food and Drug Administration for acceptance at the annual Interstate Shellfish Sanitation Conference (I.S.S.C.) regarding restrictions to be placed on warm water (April thru October) harvesting of oysters for raw consumption from the Gulf Coast, and

WHEREAS, Louisiana oyster fishermen have been harvesting and the consumer consuming oysters during this period since the early 1800's, and

WHEREAS, presently Louisiana fishermen harvested approximately 50% of their annual production during this period, and

WHEREAS, public health officials have developed significant consumer advisory information to notify both the consumer and the medical community of the problem, and

WHEREAS, significant harvest controls have been instituted in Louisiana, and other Gulf States, and

WHEREAS, it has been shown that the incident of infection is extremely small when compared to the annual consumption of raw oysters from the Gulf States, and

WHEREAS, scientists report the problem is mainly associated with immuno-compromised individuals and the handling of the product and not harvesting.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission and the Department are in opposition to any immediate action taken by the I.S.S.C. conference and/or the U.S. Food and Drug Administration until further scientific discussion and appropriate review by both regulatory officials and the oyster industry are done particularly looking at alternative methods.

BE IT FURTHER RESOLVED, a copy of this resolution be transmitted to the Executive Director of the I.S.S.C., the Deputy Commissioner of the U.S. Food and Drug Administration, the Governor of Louisiana, the Chairman of the Senate and House Natural Resources Committee of the Louisiana Legislature, and the Louisiana Congressional Delegation.

John F. "Jeff" Schneider
Chairman, La. Wildlife &

Joe L. Herring
Secretary, La. Department of

Mr. Brandt Savoie presented the Declaration of Emergency for **Setting 1994 Fall Inshore Shrimp Season**. Zone 1 had seen some good numbers of shrimp moving into the area for a while and the sizes were pretty good. The Barataria Bay system in Zone 2 was a little behind the rest of the area. There were two distinct crops of shrimp in the Timbalier and Terrebonne ~~area~~ to Sister Lake areas. ~~The shrimp in Zone 3 moved in late also and are behind the other two zones.~~ The recommendations for the Fall Shrimp Season was to open Zone 1 on August 15, Zone 2 on August 15 and Zone 3 on August 22. Then Mr. Savoie noted two major changes, that being, opening time would be official sunrise and the setting of a closing date. Chairman Schneider asked Mr. Savoie to read the Declaration of Emergency and since the Resolution was the same as the Declaration of Emergency they would vote on both at the same time. Commissioner Mialjevich asked if Mr. Savoie had talked to any one since the last meeting on the night time ban on shrimping in Vermilion Bay and were there any major complaints received. He then asked if it would be appropriate to add the same night ban in the Vermilion Bay area to the Resolution now? Commissioner Mialjevich made a motion to add the night shrimping ban to the Declaration of Emergency and Resolution. Commissioner Vujnovich seconded the motion. Mr. Savoie then read the description of the night shrimping ban. There were no public comments heard on this item. The motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

RESOLUTION

1994 Fall Inshore Shrimp Season
adopted by the
Louisiana Wildlife and Fisheries Commission

- WHEREAS,** R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons each calendar year for all inside waters by zone, and
- WHEREAS,** R.S. 56:497 states the shrimp seasons shall be based on biological and technical data which indicates that marketable shrimp are available, and
- WHEREAS,** R.S. 56:498 provides the minimum legal count on white shrimp is 100 (whole shrimp) count per pound, except during the time period from October fifteenth through the third Monday in December when there shall be no count, and

WHEREAS, historical and current biological sampling conducted by the Department of Wildlife and Fisheries has indicated that white shrimp will average 100 count minimum size or larger by mid August, in inshore shrimp Zones 1 and 2 and in inshore shrimp Zone 3 approximately one week later,

NOW THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore "White" Shrimp Season by public notice in accordance with R.S. 56:497, to open in Zones 1 and 2 at official sunrise Monday, August 15, 1994 and in Zone 3 at official sunrise Monday, August 22, 1994.

BE IT FURTHER RESOLVED, that the Commission does hereby prohibit shrimping between official sunset and official sunrise in the inside waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermilion Bay, not to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92°00.43' longitude by 29°36.69' latitude and 92°00.30 longitude by 29°36.29' latitude.

BE IT FURTHER RESOLVED, the Wildlife and Fisheries Commission does hereby set the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday, December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicates the need to do so or if enforcement problems develop.

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 1994 Fall Inshore "White" Shrimp Season is attached to and made a part of this resolution.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and

Fisheries Commission does hereby set the 1994 Fall Inshore Shrimp Season to open as follows:

Zone 1, that portion of Louisiana's inshore waters from the Mississippi State line westward to the eastern shore of South Pass of the Mississippi River, at official sunrise Monday, August 15, 1994, and

Zone 2, that portion of Louisiana's inshore waters from the eastern shore of South Pass of the Mississippi River westward to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, at official sunrise Monday, August 15, 1994, and

Shrimping is prohibited between official sunset and official sunrise in the inshore waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermilion Bay not to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92°00.43' longitude by 29°36.69' latitude and 92°00.30' longitude by 29°36.29' latitude.

Zone 3, that portion of Louisiana's inshore waters from the western shore of Vermilion Bay and Southwest Pass at Marsh Island westward to the Texas State line, at official sunrise Monday, August 22, 1994.

The Commission also hereby sets the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday, December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicates the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider
Chairman

to — Commissioner Mialjevich asked Professor Ken Roberts to present a Summary Proceedings of **Coastal Fishing - What is the Future?** Dr. Roberts, a Resource Economist with the LSU Extension Service presented each Commission member with a copy of the workshop held at LSU on April 4 and 5. The Extension Service group conducts off campus educational programs for those who use the marine resources. Managers and science was getting ahead of the ability of resource users in understanding the management and science used to make decisions. This workshop was to bring both recreational and commercial industry leaders together. The "What is the Future?" was not answered during the workshop, but the goal was to stimulate the people to find information, sources, expertise and more efficiently participate in the management decisions to improve the marine resources. Members of the staff from the Department were relied on to be speakers for the workshop. Dr. Roberts then gave an overview of the different topics. Chairman Schneider asked if

this was the end to the discussion or the beginning of more discussions, who decided the topics and who would present the topics. Then he asked when the program was planned for next year ~~and~~ to please send a copy before the finals plans are made. Commissioner Mialjevich stated he was disappointed he could not go and that this workshop was what was needed for the commercial, the recreational and the consumers. Chairman Schneider asked if the workshop was federally funded? Commissioner Jones asked if the Extension Service has the same involvement with the commercial segment as they do with the recreational segment. Dr. Roberts explained how they go to Sportsmen's Shows each year with fact sheets and bag and creel limits for both freshwater and saltwater fish. Chairman Schneider asked what was the cost of the workshop? Commissioner Jones asked if LSU has ever funded research for recreational users? To wind up, Dr. Roberts offered to send a copy of the fact sheets and bag and creel limit cards to the Commissioners.

Shell Dredging, Central Coast - Consideration of Minerals Committee Recommendation and Rebidding Lease was the next issue to be discussed. Commissioner Jones stated the Minerals Committee of the Commission met on August 4 to review the fact there were no bids received from the initial bid package. The Committee reviewed the bid package and those things done in the past to get a successful bid. The Committee concluded the Minimum Royalty Payment should go from 1/8 of \$7.50 to 1/8 of \$10.00 and the Annual Minimum Royalty should go from \$800,000 to \$1,000,000 annually. There was hope this new bid package would be advertised and receive bids before the next Commission Meeting. Commissioner Mialjevich asked what was the minimum royalty payment for 1993? Commissioner Jones stated the Department was obligated to receive ~~1/8 of the cubic yard price for the dredge, which the Committee perceived to be approximately \$10.00.~~ He then asked Mrs. Karen Foote to read the Therefore Be It Resolved portion of the Resolution to accept the bid package. Commissioner Jones made a motion to accept the Resolution and was seconded by Commissioner Cormier. The motion passed with no opposition.

(The full text of the Resolution is made a part of the record.)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LOUISIANA

AUGUST 4, 1994

RESOLUTION

WHEREAS, the recommendation of the Minerals Committee, Counsel and staff having been considered; and

WHEREAS, for purposes of the prospective lease, the Commission is charged with determining the minimum acceptable royalty bid as a fraction of the "selling price of the shell produced" which is defined as the price of the shell FOB dredge site, exclusive of any transportation cost and the guaranteed annual minimum royalty; and

WHEREAS, the minimum royalty on the 1991 lease bid package was one-eighth (1/8) of seven dollars and fifty cents (\$7.50), which would have yielded a per cubic yard royalty of approximately ninety-four cents (\$.94); and

WHEREAS, the guaranteed annual minimum royalty on the 1991 lease bid package was eight hundred thousand dollars (\$800,000); and

WHEREAS, the Commission desires to increase the minimum royalty and the guaranteed annual minimum royalty from the 1991 lease bid package for the prospective lease; and

WHEREAS, the Commission received no bids for the lease package bid opening on July 25, 1994 at the minimum royalty of one-eighth (1/8) of twenty-one dollars and thirty-six cents (\$21.36), yielding a per cubic yard royalty of two dollars and sixty-seven cents (\$2.67) and a guaranteed annual minimum royalty of eight hundred thousand dollars (\$800,000).

THEREFORE BE IT RESOLVED, that the Commission does hereby adopt the recommendation of the Minerals Committee and sets the minimum acceptable per cubic yard royalty at one-eighth (1/8) of ten dollars and no cents (\$10.00).

BE IT FURTHER RESOLVED, the Commission does hereby set the guaranteed annual minimum royalty for the entirety of the proposed acreage at one million dollars (\$1,000,000).

BE IT FURTHER RESOLVED, that this Commission does hereby instruct the Secretary and staff to carry out all necessary acts for the soliciting of bids and execution of the lease including, but not limited to: 1) submission of a Notice of Publication to State Lands for advertisement, and 2) submission of the Notice of Publication to all known dredging companies.

BE IT FURTHER RESOLVED, that legal counsel and staff are hereby authorized to make modifications to the lease document and bid package contingent upon notification to the Chairman.

BE IT FURTHER RESOLVED, that the last time for accepting bids for the lease tract(s) and the bid opening day will be August 29, 1994, at 2:00 p.m.

I HEREBY CERTIFY that the above and foregoing resolution was duly passed by the Louisiana Wildlife and Fisheries Commission on the 4th day of August, 1994.

John F. "Jeff" Schneider
Chairman, La. Wildlife &
Fisheries Commission

Joe L. Herring
Secretary, La. Department of
Wildlife and Fisheries

Civil Restitution and Class 1 Update for the month of July was provided by Ms. Wynnette Kees. During July, 17 cases were assessed for a value of \$2,127 and payment was received on 23 cases which totaled \$3,538. During Fiscal Year 1993-94, a total of 476 assessments were issued for a value of \$425,000 and received payments on 379 assessments totaling \$117,000. Ms. Kees proceeded to update the Commissioners on how confiscated goods were sold and the monies ~~being~~ credited to the Conservation Fund. Judgements for the March and July hearings have been received from the Hearing Officer and cover letters would be sent to violators. Chairman Schneider asked if the computer program could determine how many violators were repeat offenders, how many years has the Civil Restitution Program been around, and if the program was deterring the public.

The **Monthly Law Enforcement Report for July** was given by Major Tommy Candies. The following numbers of citations were issued during the month of July.

Region I - Minden - 87 citations.

Region II - Monroe - 93 citations.

Region III - Alexandria - 219 citations.

Region IV - Ferriday - 150 citations.

Region V - Lake Charles - 203 citations.

Region VI - Opelousas - 170 citations.

Region VII - Baton Rouge - 328 citations.

Region VIII - New Orleans - 273 citations.

Region IX - Thibodaux - 326 citations.

Oyster Strike Force - 42 citations.

Statewide Strike Force - 158 citations.

Offshore Boats (SWEP) - 8 citations.

The grand total of citations issued statewide for the month of July was 1,857.

Commissioner Gisclair stated he has received complaints about licenses getting to the different sporting good stores and asked if they were getting to the stores in a timely manner. Then he asked when was the determination made on how much of a catch was taken when violations occurred.

Lt. Brian Spillman, representing Col. Vidrine, wished to recognize three Enforcement Agents that have gone above and beyond the call of duty in their actions. An account of each heroic effort was read by Lt. Spillman. The three agents recognized were Sr. Agent John Lopez, Lt. Willie Dufrene and Sr. Agent Chuck Comeaux. Secretary Herring noted it was great to recognize the agents' accomplishments but suggested awards of this type should be placed first on the agenda so the proper recognition could be given these individuals.

Lt. Col. Charlie Clark was not available to give a report on the **Dangers in Law Enforcement Boating**.

Mr. Bob Dennie began the discussion on **Marsh Maneuvers/Aquatic Education**. He first noted the Louisiana Youth took top honors at the North American Hunter Education Invitational. It was a great honor for the State and the Hunter Education program. Then Mr. Dennie introduced Mr. Paul Jackson to speak on the Aquatic Education and Marsh Maneuvers Programs.

educate
Mr. Paul Jackson stated the Aquatic Education program was going into its seventh year. Aquatic Education was to familiarize the public with the sport of fishing as well as how important wetlands are to the State. In 1989, funding was secured for the Aquatic Education program and, at that time, they wanted to conduct clinics on the sport of fishing and develop a program for the schools to ~~equite~~ educate both educators and students. Some of the programs developed since 1989 were discussed by Mr. Jackson. One of these programs was called, Wild Louisiana, which consisted of wetlands, redbird and alligators. Commissioner Jones asked for a copy of the Wild Louisiana manual. A second program, Project Water, dealt with freshwater fisheries. Other programs discussed were Wetland Activity Guide, Let's Go Fishing, and the Splash Calendar. One of the biggest program ~~was~~ ^{is} school clinics in the Caddo/Bossier Parishes where every fifth grade teacher went through a workshop and information was provided for each student in those schools.

Next, Mr. Jackson turned the discussion to Marsh Maneuvers. This program is a senior 4-H wetland camp for students to go to the marsh and learn about the coastal wetland environment. The first year, the Department, LSU SeaGrant and the Cooperative Extension Service were involved. Last year the Barataria-Terrebonne National Estuary Program asked to be involved in the program and donated funds for the program. A video of the third camp held during July 1994 was shown at this point. This one particular program seems to have a lot of impact on a lot of young people stated Mr. Jackson. He then personally thanked Mr. John Roussel, Mr. Claude Boudreaux, Mr. Corky Perret and the employees at the Marine Lab for their help in making the program a success. Commissioner Gisclair asked how were the students selected for this program. Chairman Schneider asked what was the cost and asked if there was a possibility to expand the program.

sell
The **Secretary's Report** to the Commission was given by Secretary Herring. He began emphasizing that if there was a good Information and Education Division, and had a good program that ~~would save~~ the Department, then you can get money for the other divisions.

and
The Department and the Louisiana Fur and Alligator Council hosted nine Japanese that are tops in the fur trade for about a week. The trip included visiting Rockefeller Refuge, a number of alligator farms, ~~as well as~~ seeing wild alligators and the work associated with them. It was hoped that there would be an increase in trade with Japan and an increase ⁱⁿ the alligator production.

Department staff got together and prepared a Marsh Management position for the Environmental Protection Agency, Science Advisory Board. The staff did a good job in preparing this statement.

Interviews are being held for an Urban Biologist position in the Natural Heritage program. Secretary Herring hoped the position would be filled by the next Commission meeting. This person would work with the wildlife in the city ~~elements~~ and ^{it} should be a very popular program.

o
The Information & Education Division has advised there are 43 women ~~have~~ registered for the Outdoors Woman program to be held September 16 through September 18 at Camp Grant Walker.

The Wildlife Division has lost, through budget cuts, approximately 35 people in their head count. Due to this some changes have occurred. These included ~~the~~ Dewey W. Wills WMA and personnel assigned to it would be transferred to District 3; and the Boise Vernon WMA, Fort Polk WMA and the Peason Ridge WMA and their respective personnel would be transferred to District 5.

Secretary Herring suggested the Chairman and Commissioners think of again holding an informal type meeting that would be part

of the Commission Meeting before the regularly scheduled Meeting. This informal meeting would be to meet with the Division Administrators to find out what the Department was doing.

Secretary Herring then began a **Discussion of the November 1994 Meeting** that has been scheduled for November 3rd. The Department requested holding the meeting at the Alexander State Forest in Woodworth. The educational facility has been completed and hopefully the contract for the new fish hatchery facilities would be announced and a ceremony for both could be held at Alexander State Forest. The request to hold the meeting in Woodworth was agreed upon by all the Commission members.

The **December 1994 Meeting Date** was scheduled for Thursday, December 1, 1994 in the Baton Rouge office, beginning at 10:00 a.m.

Chairman Schneider asked for **Public Comments**.

Commissioner Mialjevich asked Chairman Schneider to announce the members of the Limited Entry Committee of the Commission.

There being no further business, the meeting was **Adjourned**.

Joe L. Herring
Secretary

JLH:sch

Louisiana's 30-day duck season upsets biologist Bateman

By JOE MACALUSO
Advocate outdoors writer

Hugh Bateman, one of the Louisiana's leading waterfowl biologists, accused the U.S. Fish and Wildlife Service of bowing to political pressure, and possibly to anti-hunting groups, when it announced that the state's duck hunters will again be limited to a 30-day season.

Bateman, administrator of the state's Wildlife Division, made the charges at Thursday's monthly meeting of the Louisiana Wildlife and Fisheries.

His charge was in response to the duck-hunting season framework the USFWS offered to Louisiana and the other 13 states in the Mississippi Flyway. The flyway, along with the Atlantic, Central and Pacific Flyway Councils, reacted to a dramatic increase in the USFWS's Fall Flight Index — from 59 million ducks in 1993 to 71 million this year — by asking for increases in seasons and bag limits.

The 14 Mississippi Flyway states were unanimous in requesting a 40-day, four-duck limit. Late Wednesday, the USFWS informed Bateman's staff that the Mississippi Flyway would have a 30-day season with a four duck per day limit.

"I was shocked. My staff was shocked. Other states in the flyway... and other flyways were shocked," Bateman said. "It's rare that the (USFWS regulations) committee ignores the recommendations from the flyways."

Bateman said the explanation for turning down the requests of 48 states could rest in a comment he said he heard was said at Tuesday's committee meeting in Washington, D.C.

"They said it was not politically correct or socially acceptable to make this kind of move at this time," Bateman said. "That was the justification I heard coming from that meeting. Those were the comments made to the technical people at the meeting."

Paul Schmidt, Chief of the USFWS's Migratory Bird Office, refuted Bateman's statement.

"Those statements were not made at any meeting I attended and I attended all the meetings (in Washington, D.C.) on this subject," Schmidt said. "I do not recall that being said, and I know that discussion never came up at any meeting and the deliberations did not include any of that discussion."

The reaction from the Commission was to, first, establish a proposed set of duck and goose hunting dates inside that 30-day framework; second, to draft a resolution calling for USFWS director Mollie Beattie to expand the duck season framework to 40 days; and, third, to allow Department of Wildlife and Fisheries secretary Joe Herring to approve a tentative 40-day duck season if the USFWS expands the season.

In the LWFC approved 30-day framework, the state's West Zone hunters get the first crack with a Nov. 12-27 first split and a Dec. 27-Jan. 9, 1995 second split. The East Zone runs from Nov. 19-27, then Dec. 27 through Jan. 16, 1995. Catahoula Lake special 30-day season goes from Nov. 18-27 and Dec. 12-Jan. 1, 1995.

If a 40-day season were approved, it would break down like this: West Zone from Nov. 12-27 and Dec. 17-Jan. 9, 1995; East Zone from Nov. 19-27 and Dec. 17-Jan. 16, 1995; and, Catahoula Lake from Nov. 19-27 and Dec. 10-Jan. 9, 1995.

L.A. Proposed migratory Waterfowl Seasons



Geese — statewide

Nov. 12-Dec. 4
Dec. 17-Feb. 1, 1995
Feb. 2-14, 1995
Special Canada Goose Season: Jan. 18-26, 1995 (in selected areas, and only by special state-issued permit)

GEESSE — Daily Bag Limits

- Daily limit is 7, blue, snow and white-fronted (speckle-bellied) geese of which not more than 2 can be white-fronted.
- Final 13-day split (Feb. 2-14, 1995), only blue and snow geese may be taken.
- Canada Goose Season (Jan. 18-26), the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a Canada Goose.
- Possession limit is twice the daily bag limit.

DUCKS — 30-day season

East Zone: Nov. 19 (Sat.)-Nov. 27 (Sun.); Dec. 27 (Tue.)-Jan. 16, 1995 (Mon.)
West Zone: Nov. 12 (Sat.)-Nov. 27 (Sun.); Dec. 27 (Tue.)-Jan. 9, 1995 (Mon.)
Catahoula Lake Zone: Nov. 19 (Sat.)-Nov. 27 (Sun.); Dec. 12 (Mon.)-Jan. 1, 1995 (Sun.)

DUCKS — Daily Bag Limits

- Daily limit is 4, may include no more than 3 mallards (no more than 1 of which can be a female), 3 mottled ducks, 1 black duck, 2 wood ducks, 1 pintail, 1 canvasback and 1 redhead.
- Coots (poule d'eau) is 15, and is in addition to the daily bag limit for ducks.
- Mergansers is 5 (only 1 can be a hooded merganser), and is in addition to the daily bag limit for ducks.
- Possession limit on ducks, coots and mergansers is twice the daily bag limit.

Advocate graphic by Alice M. Verberne

1995.
In either case, the four-duck limit includes three mallards (no more than one mallard hen), three mottled ducks, one each black duck, pintail, canvasback and redhead, and two wood ducks. The daily limits on coots (poule d'eau) remained 15 and five for mergansers, but only one hooded merganser in that limit.

The statewide goose season broke out at Nov. 12-Dec. 4, Dec. 17-Feb. 1, 1995 and Feb. 2-14, 1995 with a special Canada Goose season from Jan. 18-26, 1995.

In other action, the Commission honored Enforcement Division agents John Lopez, Willie Dufrene and Chuck Comeaux for their separate life-saving actions over the last six months.

It also approved Aug. 15 opening dates for the fall inshore shrimp season in Zones I and II, and an Aug. 22 opening in Zone III. The Commission also heard the

mostly negative comments on a resolution banning shrimp trawling at night along coastal Louisiana — it was differed to the Shrimp Task Force — and learned that the state's alligator tag limits had been set at 28,000 for the upcoming season.

For the record, the LWFC also sent the State Register the dates it passed for doves, teal, woodcock, snipe, rails and gallinules at its July meeting.

Also passed was a Sept. 7 opening of the public oyster season on public oyster seed grounds.

The commission also voted to meet Dec. 1 in Baton Rouge, and to change the site of its November meeting to the Louisiana Forestry Headquarters at the Alexandria State Forest. Herring said the meeting will coincide with ground-breaking ceremonies for the LDWF's new fish hatchery.

COMMISSION MEETING
ROLL CALL

Thursday, August 4, 1994
Baton Rouge, LA
Wildlife & Fisheries Building

	Attended	Absent
Jeff Schneider (Chairman)	✓	—
Bert Jones	✓	—
Perry Gisclair	✓	—
Tee John Mialjevich	✓	—
Joseph Cormier	✓	—
Jerald Hanchey	✓	—
Peter Vujnovich	✓	—

Mr. Chairman:

There are 7 Commissioners in attendance and we have a quorum.
Secretary Herring is also present.

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
BATON ROUGE, LA
August 4, 1994
10:00 AM

1. Roll Call
2. Approval of Minutes of July 7, 1994
3. Aircraft Report - Lee Caubarreaux
4. Declaration of Emergency for Setting Season Dates, Bag Limits for Doves, Snipe, Rails, Woodcock, Gallinules, and September Teal Season - Dave Morrison
5. Announcement of Tentative Season Dates for Ducks, Geese and Coots - Robert Helm
6. Announcement of Alligator Season Quotas (Informational Purposes Only) - Johnnie Tarver
7. Declaration of Emergency for Setting 1994-95 Oyster Season - Ron Dugas
8. Resolution on USDA Interstate Shellfish Sanitation Conference (I.S.S.C.) Oyster Issue - Corky Perret
9. Declaration of Emergency for Setting 1994 Fall Inshore Shrimp Season - Brandt Savoie
10. Declaration of Emergency and Possible Notice of Intent - Consideration of Statewide Night Shrimping Ban - Perry Gisclair
11. Summary Proceedings of the Coastal Fishing - What is the Future? - Tee John Mialjevich
12. Shell Dredging, Central Coast - Consideration of Minerals Committee Recommendation and Rebidding Lease - Minerals Committee
13. Civil Restitution and Class 1 Update - Wynnette Kees
14. Monthly Law Enforcement Report/July - Winton Vidrine
15. The Dangers in Law Enforcement Boating - Charlie Clark
16. Marsh Maneuvers/Aquatic Education - Bob Dennie/Paul Jackson
17. Secretary's Report to the Commission - Joe Herring

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State of Louisiana



Joe L. Herring
Secretary

William S. "Corky" Perret
Assistant Secretary

Department of Wildlife and Fisheries
Office of Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000
504/765-2370
July 18, 1994

Edwin W. Edwards
Governor

MEMORANDUM:

TO: Joe L. Herring, Secretary

FROM: Lee Caubarreaux, Assistant Secretary *LC*

SUBJECT: Aviation Report - June 1994
Total hours listed are:

PILOT			TOTAL HOURS			
G. Rackle	-		25.2			
B. Stamey	-		14.4			
M. Windham	-		8.8			
D. Clause	-		15.6			
L. Rodriguez	-		10.1			
TOTAL HOURS	-		74.10			
-0- No Flights						
PLANE		FLIGHT HOURS	ESTIMATED ¹ COST(TOTAL)	ACTUAL ² COST(TOTAL)	COMMISSION METHOD	
N61092	Amphib	- 28.1	3,291.35	3,370.00	5,871.50	
70365	Float-DC	- 15.6	1,438.79	2,220.55	2,045.78	
N2576K	Float-MW	- 8.8	1,131.42	1,054.97		
N9467Y	210	- 6.9	771.01	1,050.47	1,426.99	
N223MS	Partenavia	- 14.7	2,309.66	5,956.86	4,005.46	
N57266	Aero Commander	- 0.0				
TOTALS		74.10	8,942.23	13,652.85	13,349.73	
¹ Estimated Cost is based on an historical average per flight hour.						
² Actual Cost substitutes actual maintenance for the month for the average maintenance costs used in the previous figure. This is the only figure used in the calculation of estimated costs that varies significantly from month to month.						

LGC:csg
cc: Debbie Unbehagen, Fiscal

June, 1994

PLANE: N223MS (PARTENAVIA)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
06/05/94	Rackle	BR-Tuscaloosa, AL-BR: drop off 210 for painting & return pilot	5.5	T. Lott, State Police
06/20/94	Stamey	BR-Monroe-BR: public meeting	2.7	A. Williams
06/28/94	Stamey	BR-Local: maintenance	.9	-----
06/30/94	Stamey	BR-Jennings-SE Coastal Zone-BR: photos	5.6	G. Linscombe
		TOTAL	14.7	
PLANE: N9467Y (210)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
06/01/94	Stamey	BR-Local: training	.9	T. Lott, State Police
06/02/94	Stamey	BR-Coastal Zone-BR: LOOP Pipeline	2.3	R. Allemand
06/02/94	Stamey	BR-MSY: meeting	1.2	L. Caubarreaux
06/02/94	Stamey	BR-LFT-BR: maintenance	.8	-----
06/05/94	Rackle	BR-Tuscaloosa, AL: paint shop	1.7	-----
		TOTAL	6.9	
PLANE: N70365 (FLOAT-DC)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
06/21/94	Clause	NI-Grand Isle-NI: shrimp, blocking passage	2.0	G. Adams D. Folse
06/22/94	Clause	NI-Grand Isle-NI: shrimp, blocking passage	2.0	G. Adams
06/23/94	Clause	NI-Grand Isle-NI: shrimp, blocking passage	2.0	G. Adams J. Garlington
06/24/94	Clause	NI-Grand Isle-NI: shrimp, blocking passage	2.0	G. Adams
06/25/94	Clause	NI-Grand Isle-NI: shrimp, blocking passage	2.0	G. Adams
06/28/94	Clause	NI-Region 8-NI: gill net, oyster	3.5	R. Martin
06/30/94	Clause	NI-Lafayette-Coastal-NI: coastal familiarization & survey flight	2.1	F. Prejean B. Nassikas
		TOTAL	15.6	

PLANE: N61092 (AMPHIB)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
06/02/94	Rackle	NO-BR-Grozier Island-NO: USFWS anniversary ceremony	3.2	L. Caubarreaux
06/03/94	Rackle	NO-Gonzales-Coastal-NO: Sister Lake Camp inspection	5.1	C. Perret J. Roussel D. Kropog
06/06/94	Rackle	NO-BR-NO: 50 hr. inspection	1.6	-----
06/17/94	Rackle	NO-Coastal-NO: DNR permits	.6	T. Killeen
06/21/94	Rackle	NO-Coastal-NO: recurrent training flight	2.5	L. Rodriguez
06/23/94	Rackle	NO-Coastal-NO: recurrent training flight	.6	L. Rodriguez
06/27/94	Rodriguez	NO-Coastal-NO: seafood habitat & facility inspection	6.0	C. Perret J. Roussel R. Schmitt P. Hill A. Kemmerer
06/28/94	Rodriguez	NO-Coastal-NO: seafood habitat & facility inspection	4.1	C. Perret J. Roussel R. Schmitt P. Hill A. Kemmerer
06/30/94	Rackle	NO-Coastal-NO: coastal familiarization & survey flight	4.40	J. Tarver R. Lyons R. Holtzman
		TOTAL	28.1	
PLANE: N2576K (FLOAT-MW)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
06/09/94	Windham	NO-Rockefeller Refuge-NO: USFWS review	3.1	USFWS Personnel
06/10/94	Windham	NO-Rockefeller Refuge-NO: USFWS review	2.3	USFWS Personnel
06/15/94	Windham	NO-Pass-a-Loutre WMA-NO: Breau project review	3.4	USFWS, COE, EPA, NMFS, DNR Personnel
		TOTAL	8.8	
PLANE: N25766 (AERO COMMANDER)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
		no flights		

LICENSE SALES BY ZONE/PARISH 1993

	PARISH	TRAWL	BUTTERFLY	SKIMMER
ZONE I				
	St. James	63	17	16
	St. Bernard	586	455	432
	Orleans	473	205	48
	St. Tammany	362	128	36
	St. John	150	18	30
	Tangipahoa	121	28	12
	Livingston	69	16	6
	Ascension	52	20	6
	E. Baton Rouge	72	11	12
TOTAL		1,948	898	1,496
ZONE II				
	Plaquemines	671	244	844
	Jefferson	2,002	511	942
	Lafourche	1,663	414	743
	Terrebonne	2,217	768	1,196
	St. Charles	226	55	54
	Assumption	53	11	6
	St. Mary	431	181	62
	St. Martin	84	0	16
	Iberia	381	19	24
	Vermilion	511	115	16
	Lafayette	199	13	10
TOTAL		8,438	2,331	3,913
ZONE III				
	Cameron	284	254	18
	Calcasieu	258	232	8
TOTAL		542	486	26

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P. O. Box 94183
Baton Rouge, Louisiana 70804
(504) 342-2040

Senate
State of Louisiana

MEMORANDUM

August 4, 1994

TO: Mr. Joe L. Herring, Secretary

FROM: Senator Chris Ullo

RE: Modification to Current Shrimping Schedule

Given the fact that my office has not received any complaints as to the program which establishes the current shrimping schedule, I am unable to formulate a position on any proposed rule change being contemplated by the Commission. At your earliest convenience, please forward to my office all marine studies which would support any change or modification to the current schedule. In the event your studies suggest an alternate approach to the current plan, because Louisiana is a state which is recognized nationwide for its seafood industry, I would respectfully suggest that we afford all parties an opportunity to appear before the appropriate legislative committee.

If this suggestion meets with your approval, I would be happy to set up such a forum.

CU:rjl

**LOUISIANA STATE SENATE**

Fax Cover Sheet

Telephone Number: (504) 342-2040

Fax Number: (504) 342-0617

SENT TO: Aslan**FAX NUMBER:** 765-2607**FROM:** P. Smith**FOR INFORMATION CALL:** _____**This is page 1 of:** 2**Date of Transmission:** _____**SPECIAL INSTRUCTIONS:**☐ Per your request☐ For your information

Please, if possible, include
this memo in each packet
of the committee members

Thank you so very much
David



Senate
State of Louisiana

P. O. Box 94183
Baton Rouge, Louisiana 70804
(504) 342-2040

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*Representative Randy Roach called and
asked that very little information has
been given out in Night Time Shrimping
and asked that this be delayed
until hearings be held and more
input in subject.*

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedures Act and R.S. 56:6(25)a, the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Louisiana Wildlife and Fisheries Commission does hereby prohibit shrimping between official sunset and official sunrise in the inside waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermillion Bay, not to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92° 00.43' longitude by 29° 36.69' latitude and 92° 00.30' longitude by 29° 36.29' latitude. This rule shall be in effect for the 1994 Fall Inshore Shrimp Season.

John F. Schneider, Chairman
Wildlife and Fisheries Commission

Joe L. Herring, Secretary
La. Dept. of Wildlife and
Fisheries

OPINION POLL ON NIGHT SHRIMPING BAN

NAME	AREA SHRIMP	FOR/OPPOSED BAN
Bill Dekemel	East side of Miss. River	Opposed
Chris Bourgeois		Opposed
Ted Loupe	Leeville area	Okay for Zone 2, but not for Zones 1 & 3
William F. Vila	East side of Miss. River	Opposed
David Fraser	East side of Miss. River	Opposed
Arden Fraser	East side of Miss. River	Opposed
Dennis Baldo	St. Bernard Parish	Opposed
Chris Camardelle	Grand Isle area	Opposed
Jay Kramer	Grand Isle area	Opposed
Tom Delaune	New Orleans - Chalmette area	Opposed
Lori Kantz	New Orleans area	Opposed
Kerry Serpas	East side of Miss. River	Opposed
Mike Russell	Shrimps all along coast (inside waters)	Opposed
Milton Dudechafer	Rigolets	Opposed
B. A. Lewis	Slidell	Opposed
Carol Rotolo	New Orleans	Opposed
James Christmas	Orleans - Rigolets	Opposed
John Estes	Chalmette area	For the ban
David Fraser	St. Bernard	Opposed
Anthony Graco, Jr.	Delacroix Island	Opposed
Walter Farantino	Metairie - Bucktown - Pontchartrain Fisherman's Assoc.	For the ban
Mrs. Parrott	New Orleans area	Opposed

John M. Estay	Grand Isle area	Opposed
Willie Hebert	Grand Isle area	Opposed
Wayne Estay	Grand Isle area	Opposed
Robert Stroud	Grand Isle area	Opposed
Levi Brunet, Jr.	Zone 2	Opposed
Carla Kammer	All along coast	Opposed
Charles Finke	Delacroix Island	Opposed
Robert Kenney	Zone 1	Opposed
Mike Gourgoes	Lake Borgne & Lake Pontchartrain	Opposed
Marvin Dupuis	Zones 1 & 2	Opposed
Tillman Comardelle	Grand Isle area	Opposed
Victor Ledeg	Chalmette area	Opposed
Theresa Ledeg	Chalmette area	Opposed
Eugene Morales	Delacroix Island & East side of Miss. River	Opposed
Frankie Brauner	Lake Borgne, Lake Pontchartrain & Chef Pass	Opposed
Kenneth Adams	Grand Isle & Shell Beach area	Opposed
Charles Lawless	Rigolets & Lake Catherine area	Opposed
Jules Martin	Lafitte & Chef Pass	Opposed
Scott Held	East side of Miss. River, Zone 1	Opposed
William Rojas	East side of Miss. River, Zone 1	Opposed
Lanny Lafrance	East side of Miss. River, Zone 1	Opposed
Frank Daigle	Zone 1	Opposed
A. J. Menard	Pointe A La Hache	Opposed
James Martin	Pointe A La Hache	Opposed
Arthur Zanca	St. Bernard area	Opposed
Ronald Geardina	Lake Catherine area	Opposed

Horace Kiffe	Grand Isle area	Opposed
Larry Wagner	Zones 1 & 2	Opposed
Al Cassagne	Grand Isle area	Opposed
Ray Santiny	Grand Isle area	Opposed
Pat Ballinger	Grand Isle area	Opposed
David Comardelle	Grand Isle area	Opposed
Travis Davis	St. Bernard & Zone 1 area	Opposed
Samuel Davis	St. Bernard & Zone 1 area	Opposed
Joseph Parrett	All along coast	Opposed
Karen Mann	Lake Catherine area	Opposed
Dale Womack	Lake Borgne area	Opposed
Ron Guidry	Lafitte-Grand Isle area	Opposed
Ronald Ricca (owner of Lake Catherine Marina)	Lake Catherine area	Opposed
Jerry Meyer	Slidell area	Opposed (uses wing nets)
Ed Yarborough	New Orleans area	Opposed (uses wing nets)
Mrs. Mildred Gasson	Chalmette	Opposed
Doyle Jones	Zone 1	For the ban
John Bartet	St. Bernard	Opposed
Louis Cauley	Zone 1	Opposed
David Estaves, Sr.	Mostly Zone 1 & sometimes Zone 2	Opposed
Chris Vallot	Empire, Plaquemines Parish	Opposed
Troy Pellegrin	Plaquemines Parish	Opposed
Ricky Estaves	St. Bernard, Delacroix Island	Opposed
Joseph Holm	All along coast	Opposed
Terry Alfonzo	Delacroix Island	Opposed
James Evans	Zones 1 & 2	Opposed

Roslyn Ann Evans	Zones 1 & 2	Opposed
Joseph D. Parrett, Jr.	Rigolets, Lake Pontchartrain, Ship Channel & Lake Borgne	Opposed
Eddie Jacobs	Zone 1, Rigolets	Opposed
Joy Jacobs	Zone 1, Rigolets	Opposed
Carl Jacobs	Zone 1	Opposed
Earl Hebert	Leeville, Zone 2	For the ban
Johnny Palmer	Lake Pontchartrain area	For the ban
August Bertoniere	Lake Pontchartrain	For the ban
Marvin Schlaudecker	Lake Borgne, Rigolets & Lake Pontchartrain	For the ban
Gayle Gaudet	All along coast	For the ban
Mrs. James George	Larose	For the ban
Murphy Cheramie	Galliano	For the ban
Richard Lasserre	Gulf Outlet	Opposed
Emile Evans, Jr.	Zones 1 & 2	Opposed
Barry Weinstein	Eastern zone	Opposed
Ronald Bruce	Cut Off	For the ban
Imelda Bruce	Cut Off	For the ban
Patty Morris	New Orleans	Opposed
Emile Evans, Sr.	Delacroix Island	Opposed
Paul Schmit	Lake Pontchartrain	For the ban
Abraham Griffin	Golden Meadow	For the ban
Sonny Charpentier	Area 2, Lafourche Parish	For the ban
Leon Bradberry	Grand Isle area	Opposed
Charles Morales	Zone 1 area	Opposed
Mrs. Charles Morales	Zone 1 area	Opposed
Linton Griffin	Galliano	Opposed
Ed Compter	New Orleans	Opposed
Eeris Bouzigard	Galliano	Opposed
Velma Bouzigard	Galliano	Opposed

Bruce Jacobs	Zone 1	Opposed
Connie St. Pierre	Zone 1	Opposed
Toby Martin	Grand Isle	Opposed
Bobby Brunet	Cut Off	For the ban
Stanley Gisclair	Cut Off	For the ban
Russell Gisclair	Cut Off	For the ban
Dominique Gisclair, Jr.	Cut Off	For the ban
Russell Bruce	Cut Off	For the ban
Russell Plaisance	Cut Off	For the ban
Antoine Gisclair	Cut Off	For the ban
Al McCullough	Cut Off	For the ban
Roland Gisclair	Galliano	For the ban
Steve Gisclair	Galliano	For the ban
Billy Gisclair	Galliano	For the ban
Ricky Gisclair	Galliano	For the ban
Timmy Vags	Galliano	For the ban
Tommy Vags	Galliano	For the ban
Charlie Matthews	Rigolets, Chef Pass & Lake Borgne	Opposed
Eugene Dudenhefer, Jr.	Hopedale	Opposed
Leon Hartman (Captain Hawk)	All along coast	Opposed
Brad Friloux	All along coast	For the ban
Bill Hinkle	Slidell area	Opposed
John Herrmann	New Orleans area	Opposed
Lee Sperry	Zone 1, east side of Miss. River	Opposed
Ted Collins	Lafourche Parish	For the ban
Amos Usie	Montegut	For the ban
Elwood Morales, Jr.	Zones 1 & 2	Opposed
Jack Alfonzo	Zones 1 & 2	Opposed

Louis Molaison	Lake Borgne & Chef Pass	Opposed
Dominique Cazes	Gulf Outlet, Lake Borgne and Chef Pass	Opposed
Milton Dudenhefer	Grand Isle, Rigolets & Chef Pass	Opposed
Donald Ansardi	Pointe A La Hache	Opposed
Peter Tesvich	Hopedale	Opposed
John Bulette	New Orleans	Opposed
Paul Valentine	St. Bernard area	Opposed
Kim Alfonso	St. Bernard area	Opposed
Eddie Crespo	St. Bernard area	Opposed
Tom Kieffe	Galliano	For the ban
Doris Kieffe	Galliano	For the ban
Ivy Lasseigne, Jr.	All inside waters	For the ban
Douglas Blanchard	Galliano	For the ban
Myrna Blanchard	Galliano	For the ban
TOTAL 145		
108- Opposed		
37- For the Ban		

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the Emergency provisions of R. S. 49:953(B) of the Administrative Procedure Act, and under authority of R. S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following Emergency Rule:

The hunting seasons for migratory birds established during the early regulatory process for the 1994-95 hunting season shall be as follows:

1994-95 Hunting Seasons FOR EARLY MIGRATORY BIRDS

DOVE: Split Season, Statewide, 60 days

September 3 (Sat.)-September 11 (Sun.)	9 days
October 15 (Sat.)-November 6 (Sun.)	23 days
December 10 (Sat.)-January 6 (Fri.)	28 days
Daily bag limit 15, Possession Limit, 30	

TEAL: September 17(Sat.)-September 25(Sun.) 9 days
Daily bag limit 4, Possession limit 8, Blue-winged, Green-winged and Cinnamon teal only. Federal and State waterfowl stamps required.

RAILS: Split Season
September 17(Sat.)-September 25(Sun.) 9 days
November 12(Sat.)-January 11(Sun.) 61 days

KING AND CLAPPER: Daily bag limit 15 in the aggregate, Possession 30.
SORA AND VIRGINIA: Daily bag and possession 25 in the aggregate.

GALLINULES: Split season
September 17(Sat.)-September 25(Sun.) 9 days
November 12(Sat.)-January 11(Sun.) 61 days
Daily bag limit 15, Possession limit 30

SNIFE: November 5(Sat.)-February 19(Sun.)
Daily bag limit 8, Possession limit 16 107 days

WOODCOCK: November 28(Mon.)-January 31(Tues)
Daily bag limit 5, Possession 10 65 days

Note: This will be the set season for the future unless changes in the framework

occur.

SHOOTING HOURS:

Teal, Rail, Snipe, Woodcock and Gallinule: One half hour before sunrise to sunset.

Dove: One half hour before sunrise to sunset except noon to sunset on Sept. 3-4, Oct. 15-16, and Dec. 10-11 when shooting hours will be 12:00 noon to sunset.

A Declaration of Emergency is necessary because the U. S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana for provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits and shooting hours must be established and presented to the U. S. Fish and Wildlife Service immediately.

The aforementioned dates, bag limits and shooting hours will become effective September 1, 1994 and extend through sunset on February 28, 1995.

John F. "Jeff" Schneider

Chairman

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, public hearings in Washington, D. C. have been held on early migratory bird season regulations that include dove, snipe, rail, gallinule, woodcock and teal, and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

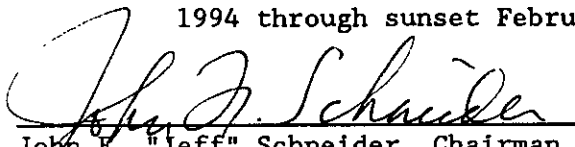
WHEREAS, rules and regulations governing early migratory bird season frameworks have been developed by the U. S. Fish and Wildlife Service, and

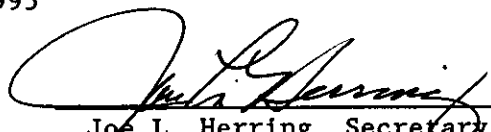
WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for migratory species that include season dates, bag limits, and shooting hours, and

WHEREAS, it is the statutory responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for these migratory species within constraints established by the U. S. Fish and Wildlife Service framework, now

THEREFORE, BE IT RESOLVED that the attached dates are hereby adopted as the permanent seasons for these migratory species by Declaration of Emergency, and

BE IT FURTHER RESOLVED, that these dates will be in effect from September 1, 1994 through sunset February 28, 1995


John F. "Jeff" Schneider, Chairman
Louisiana Wildlife and
Fisheries Commission


Joe L. Herring, Secretary
Louisiana Department of
Wildlife and Fisheries

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
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John F. "Jeff" Schneider, Chairman
Louisiana Wildlife and
Fisheries Commission

Joe L. Herring, Secretary
Louisiana Department of
Wildlife and Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

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John F. "Jeff" Schneider

Chairman

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has reviewed the information provided by our technical staff, and

WHEREAS, this information was provided by the U. S. Fish and Wildlife Service, and

WHEREAS, the duck Fall Flight Forecast is the highest recorded since the late 1970's, and

WHEREAS, habitat conditions in the Northern United States and Canada have shown significant improvements, and

WHEREAS, the outlook for the subsequent breeding season appears optimistic, and

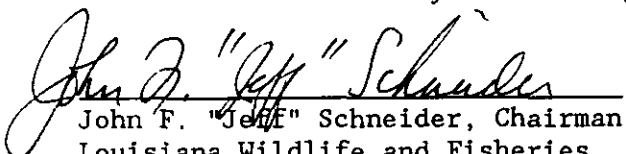
WHEREAS, the Mississippi Flyway Council and Technical Section have both agreed that liberalizing the daily bag and season length will not have any adverse impact on waterfowl populations, and

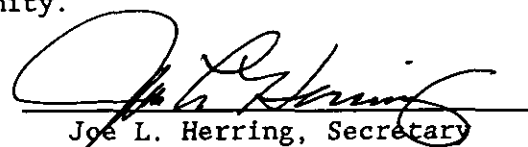
WHEREAS, The Atlantic, Central and Pacific Flyway Councils have also recommended a similar increase in bag limits and days, and

WHEREAS, habitat conditions, not hunting mortality, is the primary reason for fluctuations in waterfowl populations, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission respectfully requests that the recommendations of the States be given due consideration and the position taken by the U. S. Fish and Wildlife Service be reversed, and

BE IT FURTHER RESOLVED that the recommendations made by the Mississippi Flyway be instituted for the upcoming hunting season and allow for 10 additional days of hunting opportunity.


John F. "Jeff" Schneider, Chairman
Louisiana Wildlife and Fisheries
Commission


Joe L. Herring, Secretary
Louisiana Department of
Wildlife and Fisheries

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
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Edwin W. Edwards
Governor

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John F. "Jeff" Schneider, Chairman
Louisiana Wildlife and Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of
Wildlife and Fisheries

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
August 5, 1994

Edwin W. Edwards
Governor

Ms. Mollie Beattie, Director
U. S. Fish and Wildlife Service
Washington, DC 20240

Dear Ms. Beattie:

It was with great dismay that I have learned that the Fish and Wildlife Service is denying any increase in the number of duck hunting days for the 1994-95 season. All four of the Flyway Councils, after lengthy meetings, were consistent in requesting more liberal hunting regulations for ducks. The breeding pair and production survey information clearly support reasonable upward adjustments in the bag limit, one bird, and ten (10) days in the season for the Mississippi Flyway.

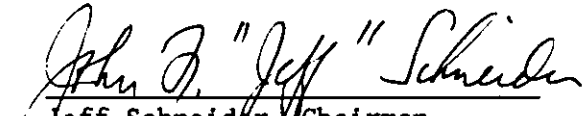
Declining populations of some species, caused by several consecutive years of severe drought, brought about restricted hunting opportunity for ducks in 1985 and more restrictions again in 1988. The harvest of ducks since 1985 has been reduced by 50 percent or more while fall flights of ducks have been in the range of 60-65 million. The number of active duck hunters in Louisiana and across the nation has also declined by 50% or more since restrictive regulations were imposed. Those sportsmen who remain interested in waterfowl and wetlands have continued to pay their license fees and have been supportive of the wetlands conservation efforts of the North American Waterfowl Management Plan, DU, Inc., FWS, and state agency programs.

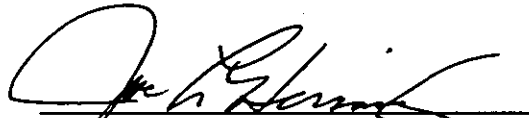
In 1994 the news of increased breeding duck numbers (+24%), excellent production conditions across the breeding grounds and a projected 71 million fall flight brought optimism. Exhaustive meetings ensued among the flyway councils, state waterfowl technicians and members of your staff. All four councils came forth with recommendations that both bag limits and number of hunting days be increased.

In the face of all this, our Department, our Commission and our sportsmen are frustrated by the Service's action. The "partnership" with state wildlife agencies so loudly proclaimed by the FWS seems to have failed us during the duck hunting regulations setting process this year. A no change in number of hunting days is unacceptable to us.

The Louisiana Department of Wildlife and Fisheries, and the Louisiana Wildlife and Fisheries Commission urge you to allow ten (10) additional days of duck hunting within the Mississippi Flyway as recommended by the states of the Mississippi Flyway Council.

Sincerely,


Jeff Schneider, Chairman
Louisiana Wildlife and Fisheries
Commission


Joe L. Herring, Secretary
Louisiana Department of Wildlife
and Fisheries

cc: Honorable Edwin W. Edwards, Governor
Louisiana Congressional Delegation
Senator Joe McPherson
Representative Sam Theriot
Mississippi Flyway Council
Matt Connelly, DU, Inc., Memphis
Max Peterson, IAFWA, Washington, DC
Dr. Sam Polles, SEAFWA, Jackson, MS

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, LA August 4, 1994.

WHEREAS, the Louisiana Wildlife and Fisheries Commission has reviewed the information provided by our technical staff, and

WHEREAS, this information was provided by the U. S. Fish and Wildlife Service, and

WHEREAS, the duck Fall Flight Forecast is the highest recorded since the late 1970's, and

WHEREAS, habitat conditions in the Northern United States and Canada have shown significant improvements, and

WHEREAS, the outlook for the subsequent breeding season appears optimistic, and

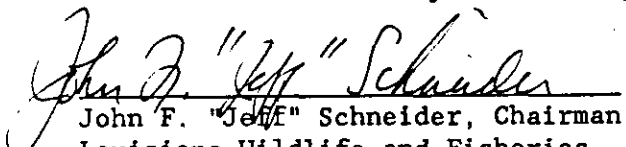
WHEREAS, the Mississippi Flyway Council and Technical Section have both agreed that liberalizing the daily bag and season length will not have any adverse impact on waterfowl populations, and

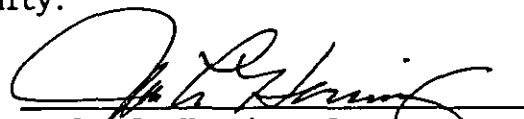
WHEREAS, The Atlantic, Central and Pacific Flyway Councils have also recommended a similar increase in bag limits and days, and

WHEREAS, habitat conditions, not hunting mortality, is the primary reason for fluctuations in waterfowl populations, now

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission respectfully requests that the recommendations of the States be given due consideration and the position taken by the U. S. Fish and Wildlife Service be reversed, and

BE IT FURTHER RESOLVED that the recommendations made by the Mississippi Flyway be instituted for the upcoming hunting season and allow for 10 additional days of hunting opportunity.


John F. "Jeff" Schneider, Chairman
Louisiana Wildlife and Fisheries
Commission


Joe L. Herring, Secretary
Louisiana Department of
Wildlife and Fisheries

FACT SHEET

Miss. Flyway duck hunting regulations:

1975-84	50 day season	10 duck bag limit
1985-87	40 day season	5 duck bag limit
1988-93	30 day season	3 duck bag limit

Restrictive regulations implemented since 1985 have been in response to low duck numbers caused by drought conditions in the nesting regions of northern U.S. and Canada.

Duck harvest in the United States during recent years are more than 50% below those of the 1974-84 period.

The number of duck hunters in the U.S. has declined about 50% since the mid 1970's.

YEAR	ESTIMATED FALL FLIGHT IN THOUSANDS	SEASON LENGTH	BAG LIMIT
1975	87,833	50 DAYS	10 DUCKS
1976	78,349	50 DAYS	10 DUCKS
1977	75,219	50 DAYS	10 DUCKS
1978	80,336	50 DAYS	10 DUCKS
1979	84,537	50 DAYS	10 DUCKS
1980	70,884	50 DAYS	10 DUCKS
1981	67,606	50 DAYS	10 DUCKS
1982	66,676	50 DAYS	10 DUCKS
1983	72,030	50 DAYS	10 DUCKS
1984	68,676	50 DAYS	10 DUCKS
1985	54,515	40 DAYS	5 DUCKS
1986	66,179	40 DAYS	5 DUCKS
1987	63,112	40 DAYS	5 DUCKS
1988	57,452	30 DAYS	3 DUCKS
1989	56,504	30 DAYS	3 DUCKS
1990	56,413	30 DAYS	3 DUCKS
1991	60,561	30 DAYS	3 DUCKS
1992	62,357	30 DAYS	3 DUCKS
1993	58,661	30 DAYS	3 DUCKS
1994	EST. 71,000		

Mississippi Flyway Council has recommended a 40 day hunting season with a daily bag limit of 4 ducks.

The U.S. Fish and Wildlife Service has recommended a 30 day hunting season with a daily bag limit of 4 ducks.

POPULATION ESTIMATES AND HABITAT CONDITIONS JUSTIFY THE 40 DAY SEASON AND 4 DUCK BAG LIMIT AS RECOMMENDED BY THE FLYWAY COUNCIL. FLYWAY COUNCIL MEMBER STATES-- LA., MS., AL., ARK., KY., TN., MO., IL., IN., OH., IO., MN., WI., MI.

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, Louisiana, August 4, 1994.

WHEREAS, public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington D. C., and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and

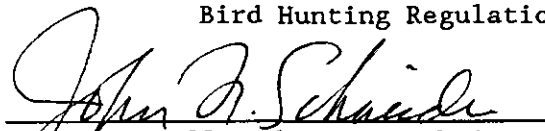
WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now

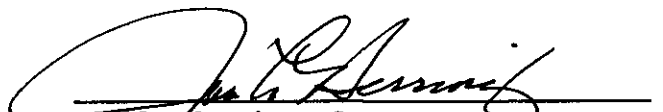
THEREFORE, BE IT RESOLVED that on this date, the Louisiana Wildlife and Fisheries Commission does hereby tentatively adopt the attached season dates, bag limits and shooting hours, and

BE IT FURTHER RESOLVED that these tentative dates will be ratified by Declaration of Emergency at the September meeting unless significant changes occur as a result of continuing deliberations and comments with the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED that if changes should occur prior to the next Commission meeting, the Secretary is granted the authority to react and establish seasons within new frameworks established, and

BE IT FURTHER RESOLVED that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations set for Louisiana's 1994-95 Migratory Bird Hunting Regulations.


John F. "Jeff" Schneider, Chairman
Wildlife and Fisheries Commission
Fisheries


Joe L. Herring, Secretary
Department of Wildlife and

TENTATIVE SEASONS FOR MIGRATORY GAME BIRDS

DUCKS AND COOTS:

West Zone: (30 days) Nov. 12 (Sat.)- Nov. 27 (Sun.)
Dec. 27 (Tue.)- Jan. 09 (Mon.)
East Zone: (30 days) Nov. 19 (Sat.)- Nov. 27 (Sun.)
Dec. 27 (Tue.)- Jan. 16 (Mon.)
Catahoula Lake Zone:
(30 days) Nov. 19 (Sat.)- Nov. 27 (Sun.)
Dec. 12 (Mon.)- Jan. 1 (Sun.)

Daily Bag Limits

The daily bag limit on ducks is 4 and may include no more than 3 mallards (no more than 1 of which may be a female), 3 mottled ducks, 1 black duck, 2 wood ducks, 1 pintail, 1 canvasback and 1 redhead. Daily bag limit on coots is 15.

Mergansers - The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit - The possession limit on ducks, coots and mergansers is twice the daily bag limit.

GEESE:

STATEWIDE SEASON

Nov. 12-Dec. 4, Dec. 17-Feb. 1, and Feb. 2-Feb 14.

Daily bag limit is 7 in the aggregate of blue, snow and white-fronted geese of which not more than 2 may be white-fronted (specklebellies). During the last 13 days (Feb. 2- Feb. 14), only blue and snow geese may be taken. During the Canada Goose Season (Jan. 18-Jan. 26) the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

Canada Goose Season - Jan. 18-Jan. 26.

A Canada Goose Season will be open in a portion of southwest Louisiana. The area shall be described as follows:

Easterly from the Texas line along Hwy. 12 to Ragley; then easterly along U. S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Hwy. 167 near Lafayette; then south along Hwy 167 from Lafayette to its junction with Hwy 82 at Abbeville; then south and west along Hwy, 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the junction of the Intracoastal Waterway and the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Hwy, 82 at Cameron; then

westerly along Hwy. 82 to the Texas line. All lands lying within these boundaries shall be open for the Canada Goose season except all open waters of Lake Arthur and the Mermentau River from Hwy. 14 bridge south.

A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5.00 administrative fee will be charged. This permit may be obtained from the Lake Charles, Opelousas and Baton Rouge Offices.

Return of harvest information requested on permit is mandatory. Failure to submit this information to the Department by February 15, 1994 will result in the hunter not being allowed to participate in the Canada Goose Season the following year.

Shooting Hours: One half hour before sunrise to sunset.

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
August 4, 1994

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, Louisiana, August 4, 1994.

WHEREAS, public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington D. C., and

WHEREAS, the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

WHEREAS, rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and

WHEREAS, it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now

THEREFORE, BE IT RESOLVED that on this date, the Louisiana Wildlife and Fisheries Commission does hereby tentatively adopt the attached season dates, bag limits and shooting hours, and

BE IT FURTHER RESOLVED that these tentative dates will be ratified by Declaration of Emergency at the September meeting unless significant changes are mandated by the U.S. Fish and Wildlife Service, and

BE IT FURTHER RESOLVED that these dates will be forwarded to the U.S. Fish and Wildlife Service as regulations set for Louisiana's 1994-95 Migratory Bird Hunting Regulations.

John F. "Jeff" Schneider, Chairman
Wildlife and Fisheries Commission
Fisheries

Joe L. Herring, Secretary
Department of Wildlife and Fisheries

TENTATIVE SEASONS FOR MIGRATORY GAME BIRDS

DUCKS AND COOTS:

West Zone: (30 days) Nov. 12 (Sat.)- Nov. 27 (Sun.)
Dec. 27 (Tue.)- Jan. 09 (Mon.)
East Zone: (30 days) Nov. 19 (Sat.)- Nov. 27 (Sun.)
Dec. 27 (Tue.)- Jan. 16 (Mon.)
Catahoula Lake Zone:
(30 days) Nov. 19 (Sat.)- Nov. 27 (Sun.)
Dec. 12 (Mon.)- Jan. 1 (Sun.)

Dec 17 - Jan. 10

Daily Bag Limits

The daily bag limit on ducks is 4 and may include no more than 3 mallards (no more than 1 of which may be a female), 3 mottled ducks, 1 black duck, 2 wood ducks, 1 pintail, 1 canvasback and 1 redhead. Daily bag limit on coots is 15.

Mergansers - The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit - The possession limit on ducks, coots and mergansers is twice the daily bag limit.

GEESE:

STATEWIDE SEASON

Nov. 12-Dec. 4, Dec. 17-Feb. 1, and Feb. 2-Feb 14.

Daily bag limit is 7 in the aggregate of blue, snow and white-fronted geese of which not more than 2 may be white-fronted (specklebellies). During the last 13 days (Feb. 2- Feb. 14), only blue and snow geese may be taken. During the Canada Goose Season (Jan. 18-Jan. 26) the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

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Easterly from the Texas line along Hwy. 12 to Ragley; then easterly along U. S. 190 from Ragley to its junction with I-49 near Opelousas; then south along I-49 to its junction with Hwy. 167 near Lafayette; then south along Hwy 167 from Lafayette to its junction with Hwy 82 at Abbeville; then south and west along Hwy, 82 to the Intracoastal Waterway at Forked Island; then westerly along the Intracoastal Waterway from Forked Island to the junction of the Intracoastal Waterway and the Calcasieu Ship Channel; then south along the west side of the Calcasieu Ship Channel to Hwy, 82 at Cameron; then

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Return of harvest information requested on permit is mandatory. Failure to submit this information to the Department by February 15, 1994 will result in the hunter not being allowed to participate in the Canada Goose Season the following year.

Shooting Hours: One half hour before sunrise to sunset.

1994 MARSH ALLIGATOR TAG ALLOTMENT BY PARISH

	1994 Tag Allotment/Marsh Type		
	Brackish	Intermediate	Fresh
^(a) Cameron			
Calcasieu	1:150	1:75	1:100
Jeff Davis			1:100
^(b) Vermilion West	1:75	1:75	1:225
^(b) Vermilion East	1:350	1:200	
Iberia	1:350	1:200	
St. Mary		1:100	1:100
Terrebonne	1:175	1:75	1:75
Lafourche	1:400	1:75	1:75
St. Charles		1:75	1:75
St. John the Baptist		1:100	1:75
Jefferson	1:250	1:75	1:100
Orleans	1:500		
Plaquemines	^(c) 1:300 ^(d) 1:250	1:300	1:200
St. Bernard	1:700		
St. Tammany	1:200	1:150	1:175
Tangipahoa		1:150	1:150
Cypress-Tupelo Swamp	1:200		
Dewatered Marsh	1:700		
Deteriorating Brackish Marsh ^(e)	1:700		

^(a)Brackish and intermediate marsh between Calcasieu Lake/Calcasieu River and Mermentau River will be issued at the rate of 1 tag:200 acres.

^(b)The dividing line for Vermilion Parish brackish and intermediate marsh is the Vermilion River Cutoff (4-mile cut).

^(c)Brackish marsh west of Mississippi River.

^(d)Brackish marsh east of Mississippi River.

^(e)Marsh areas which are characterized by a generally declining alligator population caused by degradation of alligator habitat.

1994 NON-MARSH ALLIGATOR TAG ALLOTMENT BY ZONE AND PARISH
LAKE REGION

ZONE	PARISH	HABITAT	ACRES OF HABITAT	TAG ALLOTMENT	REMARKS
Minden	Caddo	Cross Lake	500	10	Public Lake (Experimental Harvest)
SUB TOTAL			500	10	
Monroe					
No Public Lakes No Experimental Harvest					
Tioga	Grant	Iatt Lake	4,000	10	Public Lake (Experimental Harvest)
	Sabine	(f)Middle Toledo Bend	4,000	10	Public Lake (Experimental Harvest)
	Vernon	Anacoco Lake	1,000	5	Public Lake (Experimental Harvest)
SUB TOTAL			9,000	25	

(f)That portion of Toledo Bend in Sabine Parish east of the main channel and south of La. Hwy. 6 (Pendleton Bridge) to a line due west of the end of La. Hwy. 476 (Boone's Landing).

1994 NON-MARSH ALLIGATOR TAG ALLOTMENT BY ZONE AND PARISH CONT'D
LAKE REGION

ZONE	PARISH	HABITAT	ACRES OF HABITAT	TAG ALLOTMENT	REMARKS
Ferriday	Concordia	Lower Sunk Lake	600	5	Three Rivers W.M.A (Experimental Harvest)
		Silver Lake	400	5	Three Rivers W.M.A. (Experimental Harvest)
		Long Bayou	300	5	Three Rivers W.M.A. (Experimental Harvest)
		Lake Concordia	800	10	Public Lake (Experimental Harvest)
		Lake St. Joseph	800	15	Public Lake (Experimental Harvest)
	Tensas	Lake St. John	200	15	Public Lake (Experimental Harvest)
SUB TOTAL			3,100	55	
Lake Charles	Evangeline	Chicot Lake	1,625	16	State Parks (Experimental Harvest)
SUB TOTAL			1,625	16	
Opelousas	Avoyelles	Grassy Lake WMA	1,000	20	Highest Bidder Basis
		Spring Bayou WMA	5,000	50	Highest Bidder Basis
		St. Martin Atchafalaya NWR Bayou des Ourse Brake	1,300	13	Highest Bidder Basis

1994 NON-MARSH ALLIGATOR TAG ALLOTMENT BY ZONE AND PARISH CONT'D
LAKE REGION

ZONE	PARISH	HABITAT	ACRES OF HABITAT	TAG ALLOTMENT	REMARKS
Opelousas	Iberville	Atchafalaya NWR Bayou des Glaise Brake	2,000	20	Highest Bidder Basis
SUB TOTAL			9,300	103	
LAKE REGION TOTALS		Lakes	23,525	209	Experimental Harvests

Additionally: Any private alligator habitat determined by Department personnel to have a reproducing population may be issued tags at the rate of one tag per 100 acres of habitat.

1994 NON-MARSH ALLIGATOR TAG ALLOTMENT BY ZONE AND PARISH
CYPRESS-TUPELO SWAMP REGION

ZONE	PARISH	ACRES OF HABITAT	TAG ALLOTMENT	ACRES/TAG	REMARKS
Opelousas	Iberville	29,880	149	200	Tag allotment based upon night counts and alligator model.
	Lafayette	1,200	6	200	
	Pointe Coupee	1,000	5	200	
	W. Baton Rouge	7,040	35	200	
SUB TOTAL		38,120	195	200	
Baton Rouge	Ascension	40,320	202	200	Tag allotment based upon night counts and alligator model.
	E. Baton Rouge	2,000	10	200	
	Livingston	66,720	334	200	
	Tangipahoa	36,181	181	200	
SUB TOTAL		145,221	727	200	
New Orleans	St. Charles	39,340	197	200	Tag allotment based upon night counts and alligator model.
	St. James	76,960	385	200	
	St. John	104,320	522	200	
SUB TOTAL		220,620	1,104	200	

1994 NON-MARSH ALLIGATOR TAG ALLOTMENT BY ZONE AND PARISH CONT'D
CYPRESS-TUPELO SWAMP REGION

ZONE	PARISH	ACRES OF HABITAT	TAG ALLOTMENT	ACRES/TAG	REMARKS
New Iberia- Bourg	Assumption	98,560	493	200	Tag allotment based upon night counts and alligator model.
	Iberia	31,550	158	200	
	Lafourche	112,350	562	200	
	St. Mary	60,190	301	200	
	Terrebonne	43,014	215	200	
SUB TOTAL		345,664	1,729	200	
SWAMP TOTAL		749,625	3,755	200	

ATCHAFALAYA BASIN ALLIGATOR HABITAT

REGION	ACREAGE	DESCRIPTION
A. Henderson Lake	15,000	Bounded on the west by the West Guide Levee, on the North by Little Fardoch Bayou, on the east by the Haha Bay and Gim Slough and on the south by La. Hwy. 3177.
B. Crook Chene Cove- Buffalo Cove	32,000	Beginning at the northwest corner of Attakapas W.M.A.: A line north along Lake Fausse Point Cut to Bayou Benoit; west to the West Guide Levee, north to the East-West Canal located approximately 3 miles south of Catahoula, La.: East approximately 2 miles to canal; southeast on the same canal to Bayou Crook Chene; east to the main channel of the Atchafalaya River; south to the north boundary of Attakapas W.M.A.; west to point of beginning.
C. Spike Bay-Berry Lake	8,000	Beginning at a point 1-1/2 miles northwest of Bayou Sorrel Landing: west along canal 5 miles; south along Spike Bay for 2 miles; east to intersect Bayou Sorrel then continue east along Bayou Sorrel to East Guide Levee; north to point of beginning.
D. Upper Grand River Flats	12,000	Beginning at Upper Grand River Landing: north along East Guide Levee approximately 9 miles to a canal running northwest; northwest along that canal 2-1/2 miles to King's Ditch; south approximately 5 miles to include Billy Little Lakes; southeast approximately 4 miles to intersection of Upper Grand River and Little Tensas Bayou, east along Upper Grand River to point of beginning.

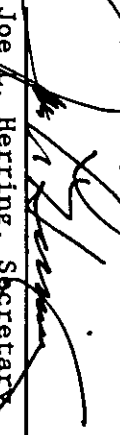
ATCHAFALAYA BASIN ALLIGATOR HABITAT CONT'D

REGION	ACREAGE	DESCRIPTION
E. Bayou Pigeon-Belle River-Flat Lake	140,000	Beginning at Bayou Pigeon Landing; south along East Guide Levee to Morgan City (excluding Flat Lake); north-northwest along east side of the main channel of Six Mile Lake approximately 10 miles to 21-Inch Canal; northeast on 21-Inch Canal to Bayou Boutte; north on Bayou Boutte to the east boundary line of Attakapas W.M.A.; then north along its east boundary to Grand Lake; north along the east bank of Grand Lake to Keelboat Pass; northeast along Keelboat Pass and Flat Lake Pass to intersection of Williams Canal and a canal running southwest-northeast; northeast along that canal to intersection of Intracoastal Canal (East Guide Levee); south to Bayou Pigeon Landing.
TOTAL ALLIGATOR HABITAT WITHIN BASIN TYPE	207,000	Tags may be issued at the rate of one tag per 1,280 acres of habitat.

1994 NON-MARSH ALLIGATOR TAG ALLOTMENT BY REGIONS

REGION	ACRES OF HABITAT	ALLOTMENT	ACRES/TAG	REMARKS
Lakes	24,000	209	115	Includes public lakes as well as private Cypress-Lake habitat.
Cypress-Tupelo Swamp	750,000	3,755	200	Swamp habitat outside the Atchafalaya Basin.
Atchafalaya Basin	207,000	161	1,280	That portion of the Atchafalaya Basin determined to be Cypress-Tupelo swamp containing permanent water as determined by aerial observations as well as approximately 400 miles of travel by boat during April-June, 1985.
GRAND TOTAL	981,000	4,125		

Approved by:


 Joe L. Herring, Secretary
 La Dept. of Wildlife and Fisheries

RESOLUTION

1994/95 Season on the Public Oyster Grounds
Adopted by the
Louisiana Wildlife and Fisheries Commission
August 4, 1994
Louisiana Department of Wildlife and Fisheries

WHEREAS, R.S. 56:433 provides that the Public Oyster Seed Grounds may be opened on the Wednesday following Labor Day which in 1994 is September 7, and

WHEREAS, the oyster resources on the "Public Oyster Seed Grounds and Oyster Seed Reservations": have been surveyed and the available supply and size variation has been determined, and

WHEREAS, it has been a managerial practice to rotate the opening of the season on some of the "Oyster Seed Reservations" when biologically feasible, and

WHEREAS, several sites have been utilized to deposit cultch material as a subsurface to attract oyster larvae and the areas are normally closed to dredging for one year, and

WHEREAS, Act #46 of the 1992 Legislative Session changed R.S. 56:433B to mandate a sacking area only on the Public Grounds east of the Mississippi River inclusive of Plaquemines and St. Bernard Parishes.

THEREFORE BE IT RESOLVED, that the "Louisiana Public Oyster Seed Grounds", and the "Bay Junope, and Bay Gardene Oyster Seed Reservations" not currently under lease will open one-half hour before sunrise on September 7, 1994, and

BE IT FURTHER RESOLVED, that the "Hackberry Bay, and Sister Lake Oyster Seed Reservations" will remain closed during the 1994/95 oyster season, and

BE IT FURTHER RESOLVED, that the sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.

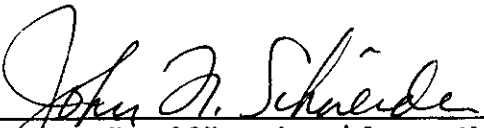
BE IT FURTHER RESOLVED, that those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994/95 oyster season, and

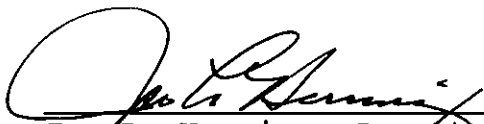
BE IT FURTHER RESOLVED, that the Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads, and

BE IT FURTHER RESOLVED, that the Secretary will also have the authority to take emergency action to reopen areas previously closed if the threat to the resource has ended, and

BE IT FURTHER RESOLVED, that the season for the Calcasieu and Sabine Lake tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995 with the Secretary having the authority to extend to compensate for the health closure days, and

BE IT FURTHER RESOLVED, notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action.


John F. "Jeff" Schneider, Chairman
Louisiana Wildlife & Fisheries
Commission


Joe L. Herring, Secretary
Louisiana Department of
Wildlife & Fisheries

DECLARATION OF EMERGENCY

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES LOUISIANA WILDLIFE AND FISHERIES COMMISSION

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B) and 967, and under the authority of R.S. 56:433 and R.S. 56:435.1 notice is hereby given that the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission, hereby declares:

1. The Public Oyster Seed Grounds not currently under lease, and the Bay Junope, and Bay Gardene Oyster Seed Reservations will open one-half hour before sunrise September 7, 1994.

2. The Hackberry Bay, and Sister Lake Oyster Seed Reservations will remain closed during the 1994-95 oyster season.

3. A designated sacking only area east of the Mississippi River will open one-half hour before sunrise on September 7, 1994. The sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.

4. Those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994-95 oyster season.

5. The Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads.

6. The Secretary is authorized to take emergency action to reopen areas previously closed if the threat to the resource subsides.

7. The Calcasieu and Sabine Lake Tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995, with the Secretary having the authority to extend to compensate for the health closure days.

8. Notice of any opening, delaying or closing of a season will be made by public notice at least 72 hours prior to such action.

John F. "Jeff" Schneider
Chairman

RESOLUTION

1994/95 Season on the Public Oyster Grounds
Adopted by the
Louisiana Wildlife and Fisheries Commission
August 4, 1994
Louisiana Department of Wildlife and Fisheries

- WHEREAS, R.S. 56:433 provides that the Public Oyster Seed Grounds may be opened on the Wednesday following Labor Day which in 1994 is September 7, and
- WHEREAS, the oyster resources on the "Public Oyster Seed Grounds and Oyster Seed Reservations": have been surveyed and the available supply and size variation has been determined, and
- WHEREAS, it has been a managerial practice to rotate the opening of the season on some of the "Oyster Seed Reservations" when biologically feasible, and
- WHEREAS, several sites have been utilized to deposit cultch material as a subsurface to attract oyster larvae and the areas are normally closed to dredging for one year, and
- WHEREAS, Act #46 of the 1992 Legislative Session changed R.S. 56:433B to mandate a sacking area only on the Public Grounds east of the Mississippi River inclusive of Plaquemines and St. Bernard Parishes.
- THEREFORE BE IT RESOLVED, that the "Louisiana Public Oyster Seed Grounds", and the "Bay Junope, and Bay Gardene Oyster Seed Reservations" not currently under lease will open one-half hour before sunrise on September 7, 1994, and
- BE IT FURTHER RESOLVED, that the "Hackberry Bay, and Sister Lake Oyster Seed Reservations" will remain closed during the 1994/95 oyster season, and
- BE IT FURTHER RESOLVED, that the sacking only area of the public grounds is generally Lake Fortuna and Lake Machias to a line from Mozambique Pt. to Pt. Gardner to Grace Pt. at the Mississippi River Gulf Outlet.
- BE IT FURTHER RESOLVED, that those properly marked areas where shell was deposited for oyster cultch in Plaquemines Parish will be closed to oyster dredging for the 1994/95 oyster season, and

BE IT FURTHER RESOLVED, that the Secretary of the Department of Wildlife and Fisheries is authorized to take emergency action if necessary, to close areas if oyster mortalities are occurring or to delay the season or close areas where significant spat catch has occurred with good probability of survival, or where it is found that there are excessive amounts of shell in seed oyster loads, and

BE IT FURTHER RESOLVED, that the Secretary will also have the authority to take emergency action to reopen areas previously closed if the threat to the resource has ended, and

BE IT FURTHER RESOLVED, that the season for the Calcasieu and Sabine Lake tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995 with the Secretary having the authority to extend to compensate for the health closure days, and

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John F. "Jeff" Schneider, Chairman
Louisiana Wildlife & Fisheries
Commission

Joe L. Herring, Secretary
Louisiana Department of
Wildlife & Fisheries

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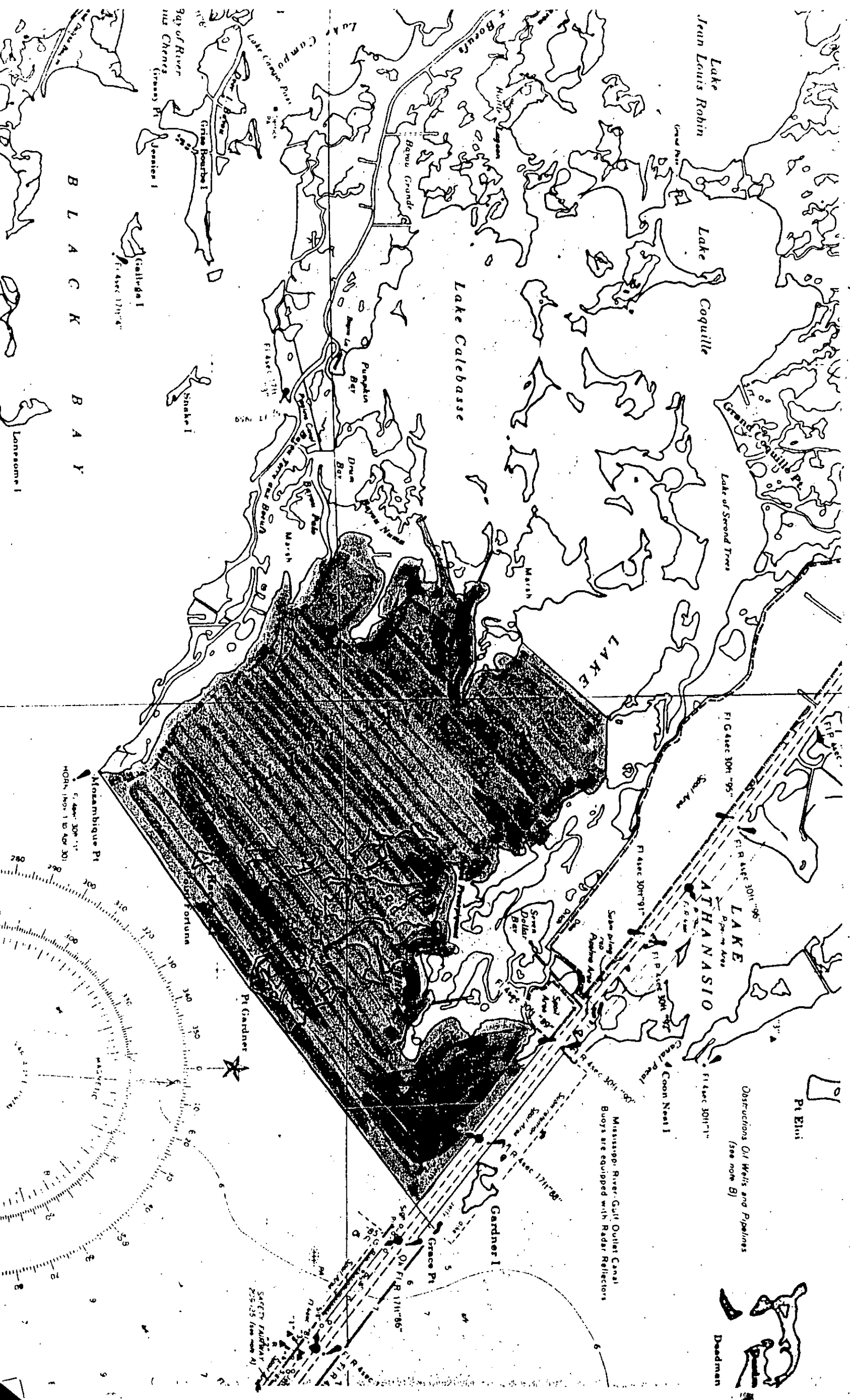
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7. The Calcasieu and Sabine Lake Tonging areas will open one-half hour before sunrise on November 1, 1994 and remain open until one-half hour after sunset on March 1, 1995, with the Secretary having the authority to extend to compensate for the health closure days.

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John F. "Jeff" Schneider
Chairman



Lake
Jean Louis Robin

Lake
Coquille

Lake of Second Trees

Lake Calebasse

B L A C K B A Y

LAKE
ATHANASIO

Pt Eliot

Obstructions Oil Wells and Pipelines
(see note B)



Deadman

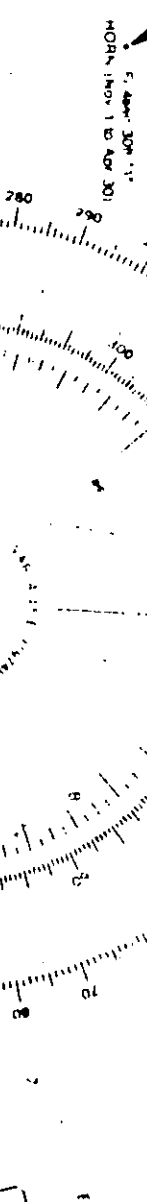
Mississippi River Gulf Outlet Canal
Buoys are equipped with Radar Reflectors

Gardner I

Grace Pt

Pt Gardner

Mosambique Pt



July 26, 1994

NEWS RELEASE

APPROVED: 

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held on Thursday, August 4, 1994 at 10:00 A.M. in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of July 7, 1994
3. Aircraft Report
4. Declaration of Emergency for Setting Season Dates and Bag Limits for Doves, Snipe, Rails, Woodcock, Gallinules, and September Teal Season
5. Announcement of Tentative Season Dates for Ducks, Geese and Coots
6. Announcement of Alligator Season Quotas (Informational Purposes Only)
7. Declaration of Emergency for Setting 1994-95 Oyster Season
8. Declaration of Emergency for Setting 1994 Fall Inshore Shrimp Season
9. Declaration of Emergency and Possible Notice of Intent - Consideration of Statewide Night Shrimping Ban
10. Summary Proceedings of the Coastal Fishing - What is the Future?
11. Civil Restitution and Class 1 Update
12. Monthly Law Enforcement Report/July
13. The Dangers in Law Enforcement Boating
14. Secretary's Report to the Commission
15. Set December 1994 Meeting Date and Discussion of November 1994 Meeting
16. Public Comments

State of Louisiana




Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 26, 1994

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Joe L. Herring, Secretary 
SUBJECT: August Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, August 4, 1994, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

1. Approval of Minutes of July 7, 1994

LEE CAUBARREAU

2. Aircraft Report
3. Declaration of Emergency for Setting Season Dates and Bag Limits for Doves, Snipe, Rails, Woodcock, Gallinules, and September Teal Season
4. Announcement of Tentative Season Dates for Ducks, Geese and Coots
5. Announcement of Alligator Season Quotas (Informational Purposes Only)

CORKY PERRET

6. Declaration of Emergency for Setting 1994-95 Oyster Season
7. Declaration of Emergency for Setting 1994 Fall Inshore Shrimp Season

Page 2
Commission Meeting
July 26, 1994

PERRY GISCLAIR

8. Declaration of Emergency and Possible Notice of Intent -
Consideration of Statewide Night Shrimping Ban

TEE JOHN MIALJEVICH

9. Summary Proceedings of the Coastal Fishing - What is the
Future

WYNNETTE KEES

10. Civil Restitution and Class 1 Update

WINTON VIDRINE

11. Monthly Law Enforcement Report/July
12. The Dangers in Law Enforcement Boating

JOE L. HERRING

13. Secretary's Report to the Commission
14. Set December 1994 Meeting Date and Discussion of November
1994 Meeting
15. Public Comments

JLH:sch

cc: Clyde Kimball
Fred Prejean
Lee Caubarreaux
Corky Perret
Don Puckett
John Medica
Division Chiefs

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - August 4, 1994

Please write on the bottom of this memo and return to Susan Hawkins by Tuesday, July 19, 1994 any agenda items your office may have for the Thursday, August 4th Commission Meeting to be held in Baton Rouge, Louisiana at the Wildlife and Fisheries Building, 2000 Quail Drive. This meeting will begin at 10:00 a.m. on August 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

cc: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman ✓
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

Wildlife Division
1- ~~Emergency~~ Declaration of Emergency
Setting SEASON Dates
AND Bag limits FOR Dove, Snipe, Rails,
Gallinules, Woodcock, AND September Teal Seasons
- Dave Morrison
2- ~~Emergency~~ Announcement of Tentative Seasons
Dates for Ducks, Geese and Coots.
- Robert Helm

To Karen + Progs Mors
Arkoma Items?
[Signature]

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

2/8
John + Bennie:
Please note due date -
and comp. 14. Thanks,
CS
7/8/94

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

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Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

- 1.) EMERGENCY DECLARATION - SETTING 1994-95 OYSTER SEASON -
RON DUGAS
- 2.) EMERGENCY DECLARATION - SETTING 1994 FALL INSHORE
SHRIMP SEASON - BRANOT SAVOIE
- 3.) CONSIDERATION OF BAN ON NIGHT SHRIMPING IN
VERMILION BAY - ?

REC'D

JUL 08 94

ASST. SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

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cc: Commissioners
Don Puckett
Bob Dennie
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Hugh Bateman
Johnnie Tarver
Bennie Fontenot
John Roussel
Wynnette Kees ✓
Karl Turner

*Civil restitution update
W. Kees
7-12-94*

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
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Don Puckett
Bob Dennie
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Bennie Fontenot
John Roussel
Wynnette Kees
Karl Turner

Enforcement Report
W.V.

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

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FROM: Joe L. Herring, Secretary *[Signature]*

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John Roussel
Wynnette Kees
Karl Turner

SUSAN:

INLAND FISHERIES HAS NO ITEMS
TO BE PLACED ON THE AGENDA FOR THE
AUGUST 4, 1994 MEETING.

BFm

RECEIVED

JUL 0 8 94

INLAND FISHERIES
DIVISION

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
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Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

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John Roussel
Wynnette Kees
Karl Turner ✓

Nothing To Add

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

RECEIVED

Edwin W. Edwards
Governor
JUL 11 1994

OFFICE OF
MANAGEMENT & FINANCE

July 7, 1994

MEMORANDUM

TO: Deputy Secretary, ✓ Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - August 4, 1994

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Karl Turner

NONE
[Signature]

State of Louisiana



Joe L. Herring
Secretary


Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

July 7, 1994

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary 

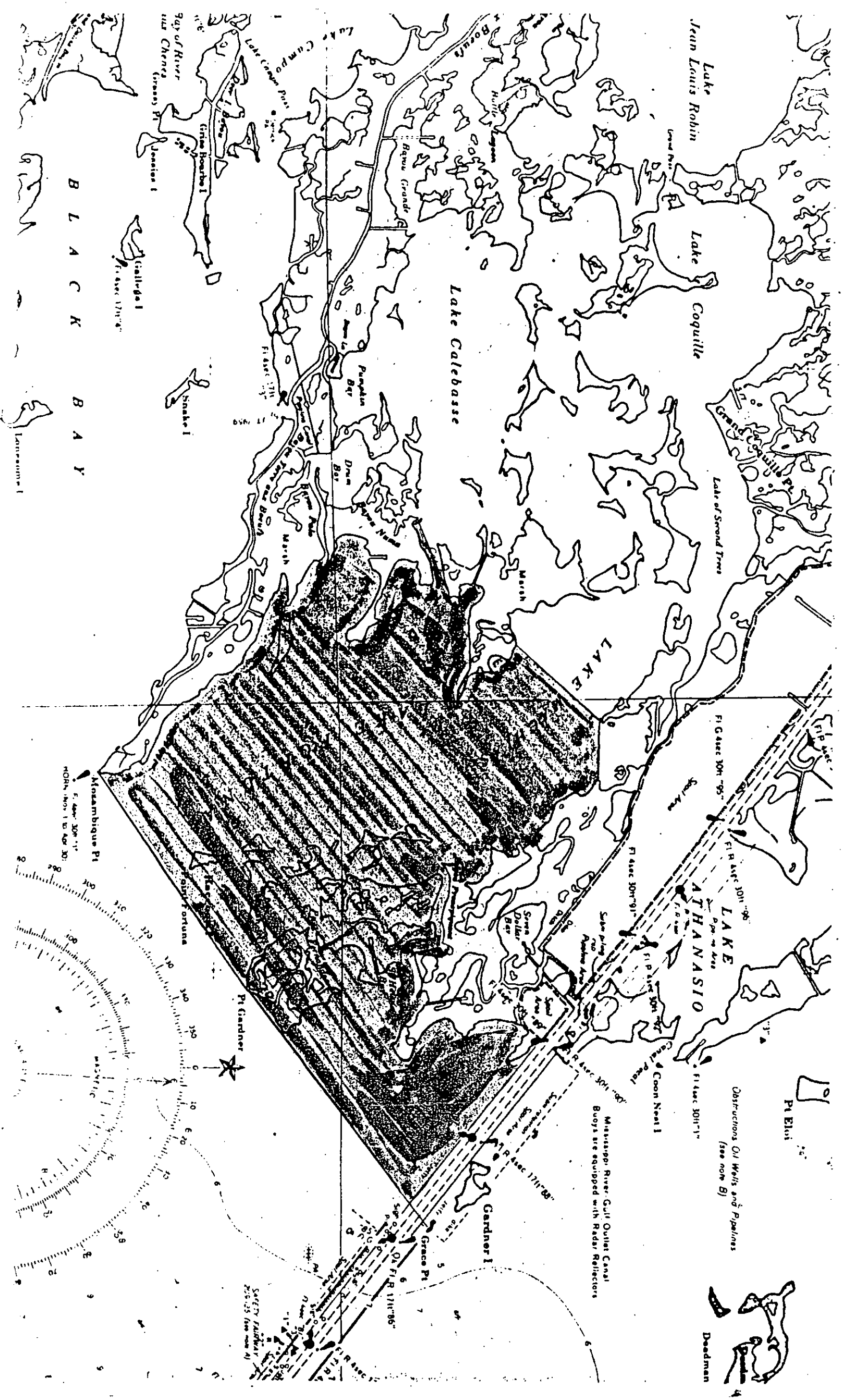
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Karl Turner



FDA committed to 7-month ban on Gulf oysters

By JOAN MCKINNEY
Advocate Washington bureau

WASHINGTON — The U.S. Food and Drug Administration refused to back down Tuesday from its recommended, 7-month ban on eating raw Gulf of Mexico oysters.

But FDA said that the Interstate Shellfish Sanitation Commission, meeting next month may recommend less drastic ways to fight an oyster-borne disease.

FDA's position was laid out in a meeting here among FDA representatives, Louisiana congressmen, a Louisiana health official and Louisiana oystermen.

Louisiana interests said FDA is over-reacting to a health threat that endangers relatively few people.

The ban, if enacted, would not cover all oysters. Instead, FDA has proposed new rules for packaging and selling Gulf oysters.

The new rules would, in effect, stop people from eating raw oysters taken from the Gulf during the months of April through October.

In those warm-weather months, the Gulf oysters are more likely to carry the bacterium *vibrio vulnificus*, which can kill people who have liver disease, diabetes, AIDS and weakened immune systems.

The FDA is not targeting the consumption of cooked oysters.

The marketing restrictions would allow the sale of Gulf-harvested oysters in the April-through-October period, if those oysters are shucked by a certified dealer and are packed in containers labeled: "This product should be fully cooked and not consumed raw."

FDA Deputy Commissioner Carol Scheman said Tuesday that, while the FDA recommends the ban on raw oyster consumption, the Interstate Shellfish Sanitation Commission could reject that ban.

FDA has placed other options before the ISSC for debate, Scheman noted.

However, the FDA also can override any decision by the shellfish conference

Scheman refused to speculate about FDA's course of action, should the shellfish conference reject the oyster marketing restrictions and try to enact less drastic disease-prevention measures.

After meeting with Scheman, Louisiana congressmen and state epidemiologist Dr. Louise McFarland said that, instead of shutting down perhaps half of Louisiana's oyster industry, the FDA should conduct a vigorous education program aimed at the few people who should avoid raw oysters.

Over the last 17 years, less than 30 people have died from the oyster-borne bacterium, which is less than two deaths a year, said several congressmen.

In all of the fatalities, the victim had an underlying disease that made them particularly vulnerable, they said.

"The problem is not the oysters," said Kenneth Fox, a Louisiana oysterman from Pointe-a-la-Hache.

"The problem is the people who eat the oysters... We can't change the oysters. We have to deal with the people" by a food-safety campaign.

Scheman replied that FDA already has a shellfish safety campaign.

That campaign, while seriously under-funded, is one of the nation's most aggressive food-education programs, but it has not cut the

“The problem is not the oysters. The problem is the people who eat the oysters.... We can't change the oysters. We have to deal with the people.”

— Kenneth Fox,
Louisiana oysterman

mortality rate for the oyster-borne bacterium, she said.

"We have spent more money on raw shellfish than any other food," Scheman said. "It hasn't worked to date."

The Louisianans replied that the oyster-education campaign is only a few years old and is not widespread, and therefore its impact cannot be measured.

The FDA should improve its consumer education campaign, and meanwhile, the oyster industry is "definitely willing to put money on the table to accomplish this," said Mike Voison of Houma, president of the Louisiana Oyster Dealers Association.

The showdown on oyster safety occurred at the U.S. Capitol, where Scheman met with McFarland; Voison and Fox; and Sens. J. Bennett Johnston and John Breaux, D-La.; Reps. Robert Livingston, R-Metairie, Billy Tauzin, D-Thibodaux, and William Jefferson, D-New Orleans.

According to Voison, consumers eat 97 million pounds of raw Louisiana oysters in the April to October months targeted by the FDA.

That is roughly 45 percent of the Louisiana oysters sold in those seven months, he said.

McFarland said that there are probably 3,000 to 4,000 Louisianans in oystering and "half would probably be out of a job" if the FDA recommendation is enacted.

Job loss also takes its toll on human health, by subjecting families to lower incomes and emotional stress," she said.

Fox said Louisiana oystermen already take precautions to fight the oyster-borne bacterium. That bacterium is present at certain higher temperatures, Fox said.

Regulations allow only "a one-day catch in hot weather," he said, which means that all oysters caught in a day "must be refrigerated before dark."

On the boats, oysters are shielded under an awning "to keep them out of the direct sunlight," he said.

RESOLUTION

WHEREAS, recently there has been a late issue being submitted by the U.S. Food and Drug Administration for acceptance at the annual Interstate Shellfish Sanitation Conference (I.S.S.C.) regarding restrictions to be placed on warm water (April thru October) harvesting of oysters for raw consumption from the Gulf Coast, and

WHEREAS, Louisiana oyster fishermen have been harvesting and the consumer consuming oysters during this period since the early 1800's, and

WHEREAS, presently Louisiana fishermen harvested approximately 50% of their annual production during this period, and

WHEREAS, public health officials have developed significant consumer advisory information to notify both the consumer and the medical community of the problem, and

WHEREAS, significant harvest controls have been instituted in Louisiana, and other Gulf States, and

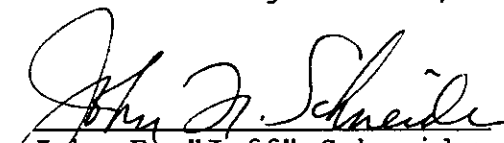
WHEREAS, it has been shown that the incident of infection is extremely small when compared to the annual consumption of raw oysters from the Gulf States, and


WHEREAS, scientists report the problem is mainly associated with

immuno-compromised individuals and the handling of the product and not harvesting.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission and the Department are in opposition to any immediate action taken by the I.S.S.C. conference and/or the U.S. Food and Drug Administration until further scientific discussion and appropriate review by both regulatory officials and the oyster industry are done particularly looking at alternative methods.

BE IT FURTHER RESOLVED, a copy of this resolution be transmitted to the Executive Director of the I.S.S.C., the Deputy Commissioner of the U.S. Food and Drug Administration, the Governor of Louisiana, the Chairman of the Senate and House Natural Resource Committee of the Louisiana Legislature, and the Louisiana Congressional Delegation.


John F. "Jeff" Schneider
Chairman


Joe L. Herring
Secretary

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Mr. Ken B. Moore
Executive Director
I.S.S.C.
115 Atrium Way
Suite 117
Columbia, SC 29223

Dear Mr. Moore:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe L. Herring".

Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Ms. Carol R. Scheman
Deputy Commissioner
U.S. Food & Drug Administration
Room 1495 Parklawn
5600 Fishers Lane
Rockville, MD 20857

Dear Ms. Scheman:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable Edwin W. Edwards
Governor
P. O. Box 94004
Baton Rouge, LA 70804-9004

Dear Governor Edwards:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

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State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable Joe McPherson, Chairman
Senate Natural Resources Committee
P. O. Box 44183, State Capitol
Baton Rouge, LA 70804

Dear Senator McPherson:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable Sam A. Theriot, Chairman
House Natural Resources Committee
P. O. Box 44486, State Capitol
Baton Rouge, LA 70804

Dear Representative Theriot:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable J. Bennett Johnston
United States Senator
United States Senate
Washington, DC 20510-1802

Dear Senator Johnston:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

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State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable John B. Breaux
United States Senator
516 Hart Senate Office Building
Washington, DC 20510

Dear Senator Breaux:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable Robert L. Livingston
United States Representative
2368 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Livingston:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable William J. Jefferson
United States Representative
428 Cannon House Office Building
Washington, DC 20515

Dear Congressman Jefferson:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable "Billy" Tauzin
United States Representative
2330 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Tauzin:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable Cleo Fields
United States Representative
513 Cannon House Office Building
Washington, DC 20515

Dear Congressman Fields:

Attached please find a copy of a Resolution adopted by the Louisiana Wildlife and Fisheries Commission at its regular monthly meeting held on August 4, 1994.

Thank you.

Sincerely,

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Joe L. Herring
Secretary

JLH:sch

Attachment

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

August 5, 1994

Honorable Jim McCrery
United States Representative
225 Cannon House Office Building
Washington, DC 20515

Dear Congressman McCrery:

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Thank you.

Sincerely,

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Joe L. Herring
Secretary

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Attachment

State of Louisiana



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Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
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Edwin W. Edwards
Governor

August 5, 1994

Honorable Richard H. Baker
United States Representative
434 Cannon House Office Building
Washington, DC 20515

Dear Congressman Baker

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Attachment

State of Louisiana



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Edwin W. Edwards
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August 5, 1994

Honorable Jimmy Hayes
United States Representative
2432 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Hayes:

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RESOLUTION

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WHEREAS, Louisiana oyster fishermen have been harvesting and the consumer consuming oysters during this period since the early 1800's, and

WHEREAS, presently Louisiana fishermen harvested approximately 50% of their annual production during this period, and

WHEREAS, public health officials have developed significant consumer advisory information to notify both the consumer and the medical community of the problem, and

WHEREAS, significant harvest controls have been instituted in Louisiana, and other Gulf States, and

WHEREAS, it has been shown that the incident of infection is extremely small when compared to the annual consumption of raw oysters from the Gulf States, and

WHEREAS, scientists report the problem is mainly associated with

immuno-compromised individuals and the handling of the product and not harvesting.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission and the Department are in opposition to any immediate action taken by the I.S.S.C. conference and/or the U.S. Food and Drug Administration until further scientific discussion and appropriate review by both regulatory officials and the oyster industry are done particularly looking at alternative methods.

BE IT FURTHER RESOLVED, a copy of this resolution be transmitted to the Executive Director of the I.S.S.C., the Deputy Commissioner of the U.S. Food and Drug Administration, the Governor of Louisiana, the Chairman of the Senate and House Natural Resource Committee of the Louisiana Legislature, and the Louisiana Congressional Delegation.

John F. "Jeff" Schneider
Chairman

Joe L. Herring
Secretary

RESOLUTION

1994 Fall Inshore Shrimp Season
adopted by the
Louisiana Wildlife and Fisheries Commission

WHEREAS, R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons each calendar year for all inside waters by zone, and

WHEREAS, R.S. 56:497 states the shrimp seasons shall be based on biological and technical data which indicates that marketable shrimp are available, and

WHEREAS, R.S. 56:498 provides the minimum legal count on white shrimp is 100 (whole shrimp) count per pound, except during the time period from October fifteenth through the third Monday in December when there shall be no count, and

WHEREAS, Historical and current biological sampling conducted by the Department of Wildlife and Fisheries has indicated that white shrimp will average 100 count minimum size or larger by mid August, in inshore shrimp Zones 1 and 2 and in inshore shrimp Zone 3 approximately one week later,

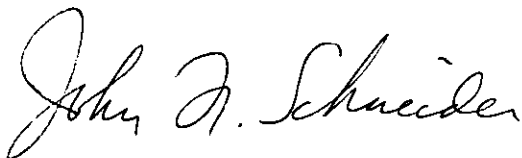
NOW THEREFORE BE IT RESOLVED, The Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore "White" Shrimp Season by public notice in accordance with R.S. 56:497, to open in Zones 1 and 2 at official sunrise Monday August 15, 1994 and in Zone 3 at official sunrise Monday August 22, 1994.

BE IT FURTHER RESOLVED, that the Commission does hereby prohibit shrimping between official sunset and official sunrise in the inside waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermilion Bay, not

to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92°00.43' longitude by 29°36.69' latitude and 92°00.30' longitude by 29°36.29' latitude.

BE IT FURTHER RESOLVED, The Wildlife and Fisheries Commission does hereby set the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicate the need to do so or if enforcement problems develop.

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 1994 Fall Inshore "White" Shrimp Season is attached to and made a part of this resolution.



John F. "Jeff" Schneider, Chairman
Wildlife and Fisheries Commission



Joe L. Herring, Secretary
La. Dept. of Wildlife and
Fisheries

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore Shrimp Season to open as follows:

Zone 1, that portion of Louisiana's inshore waters from the Mississippi State line westward to the eastern shore of South Pass of the Mississippi River, at official sunrise Monday, August 15, 1994, and

Zone 2, that portion of Louisiana's inshore waters from the eastern shore of South Pass of the Mississippi River westward to the western shore of Vermilion Bay and Southwest Pass at Marsh Island, at official sunrise Monday, August 15, 1994, and

Shrimping is prohibited between official sunset and official sunrise in the inshore waters as described in R.S. 56:495 from the western side of the Atchafalaya River Channel out to Eugene Island to the western shore of Vermilion Bay not to include Southwest Pass at Marsh Island south of a line drawn from the following points: 92°00.43' longitude by 29°36.69' latitude and 92°00.30' longitude by 29°36.29' latitude.

Zone 3, that portion of Louisiana's inshore waters from the western shore of Vermilion Bay and Southwest Pass at Marsh Island westward to the Texas State line, at official sunrise Monday, August 22, 1994.

The Commission also hereby sets the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday, December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicates the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider
Chairman

RESOLUTION

1994 Fall Inshore Shrimp Season
adopted by the
Louisiana Wildlife and Fisheries Commission

WHEREAS, R.S. 56:497 authorizes the Wildlife and Fisheries Commission to set no less than two shrimp seasons each calendar year for all inside waters by zone, and

WHEREAS, R.S. 56:497 states the shrimp seasons shall be based on biological and technical data which indicates that marketable shrimp are available, and

WHEREAS, R.S. 56:498 provides the minimum legal count on white shrimp is 100 (whole shrimp) count per pound, except during the time period from October fifteenth through the third Monday in December when there shall be no count, and

WHEREAS, Historical and current biological sampling conducted by the Department of Wildlife and Fisheries has indicated that white shrimp will average 100 count minimum size or larger by mid August, in inshore shrimp Zones 1 and 2 and in inshore shrimp Zone 3 approximatey one week later,

NOW THEREFORE BE IT RESOLVED, The Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore "White" Shrimp Season by public notice in accordance with R.S. 56:497, to open in Zones 1 and 2 at official sunrise Monday August 15, 1994 and in Zone 3 at official sunrise Monday August 22, 1994.

BE IT FURTHER RESOLVED, The Wildlife and Fisheries Commission does hereby set the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the

closing date if biological and technical data indicate the need to do so or if enforcement problems develop.

BE IT FURTHER RESOLVED, a Declaration of Emergency setting the 1994 Fall Inshore "White" Shrimp Season is attached to and made a part of this resolution.

John F. "Jeff" Schneider, Chairman
Wildlife and Fisheries Commission

Joe L. Herring, Secretary
La. Dept. of Wildlife and
Fisheries

DECLARATION OF EMERGENCY
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedures Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and Fisheries Commission does hereby set the 1994 Fall Inshore Shrimp Season to open as follows:

Zone 1, that portion of Louisiana's inshore waters from the Mississippi State line westward to the eastern shore of South pass of the Mississippi River, at official sunrise Monday August 15, 1994, and

Zone 2, that portion of Louisiana's inshore waters from the eastern shore of South Pass of the Mississippi River westward to the western shore of Vermillion Bay and Southwest Pass at Marsh Island, at official sunrise Monday August 15, 1994, and

Zone 3, that portion of Louisiana's inshore waters from the western shore of Vermillion Bay and Southwest Pass at Marsh Island westward to the Texas State Line, at official sunrise Monday August 22, 1994,

The Commission also hereby sets the closing date for the 1994 Fall Inshore Shrimp Season at official sunset Sunday December 18, 1994 and grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date if biological and technical data indicate the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider
Chairman

Joe L. Herring
Secretary

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LOUISIANA

AUGUST 4, 1994

RESOLUTION

WHEREAS, the recommendation of the Minerals Committee, Counsel and staff having been considered; and

WHEREAS, for purposes of the prospective lease, the Commission is charged with determining the minimum acceptable royalty bid as a fraction of the "selling price of the shell produced" which is defined as the price of the shell FOB dredge site, exclusive of any transportation cost and the guaranteed annual minimum royalty; and

WHEREAS, the minimum royalty on the 1991 lease bid package was one-eighth ($1/8$) of seven dollars and fifty cents (\$7.50), which would have yielded a per cubic yard royalty of approximately ninety-four cents (\$.94); and

WHEREAS, the guaranteed annual minimum royalty on the 1991 lease bid package was eight hundred thousand dollars (\$800,000); and

WHEREAS, the Commission desires to increase the minimum royalty and the guaranteed annual minimum royalty from the 1991 lease bid package for the prospective lease; and

WHEREAS, the Commission received no bids for the lease package bid opening on July 25, 1994 at the minimum royalty of one-eighth ($1/8$) of twenty-one dollars and thirty-six cents (\$21.36), yielding a per cubic yard royalty of two dollars and sixty-seven cents (\$2.67) and a guaranteed annual minimum royalty of eight hundred thousand dollars (\$800,000).

THEREFORE BE IT RESOLVED, that the Commission does hereby adopt the recommendation of the Minerals Committee and sets the minimum acceptable per cubic yard royalty at one-eighth (1/8) of ten dollars and no cents (\$10.00).

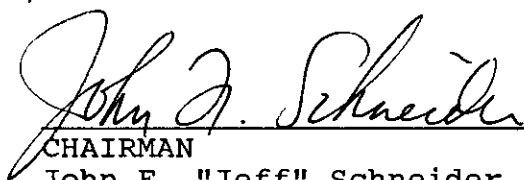
BE IT FURTHER RESOLVED, the Commission does hereby set the guaranteed annual minimum royalty for the entirety of the proposed acreage at one million dollars (\$1,000,000).

BE IT FURTHER RESOLVED, that this Commission does hereby instruct the Secretary and staff to carry out all necessary acts for the soliciting of bids and execution of the lease including, but not limited to: 1) submission of a Notice of Publication to State Lands for advertisement, and 2) submission of the Notice of Publication to all known dredging companies.

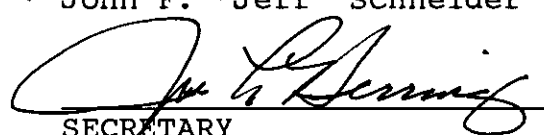
BE IT FURTHER RESOLVED, that legal counsel and staff are hereby authorized to make modifications to the lease document and bid package contingent upon notification to the Chairman.

BE IT FURTHER RESOLVED, that the last time for accepting bids for the lease tract(s) and the bid opening day will be August 29, 1994, at 2:00 p.m.

I HEREBY CERTIFY that the above and foregoing resolution was duly passed by the Louisiana Wildlife and Fisheries Commission on the 4th day of August, 1994.



CHAIRMAN
John F. "Jeff" Schneider



SECRETARY
Joe L. Herring

August 4, 1994
DATE